

STATE EDITION

COMDTINST M16750.5C



COMDTINST 16750.5C
22 DEC 1988

COMMANDANT INSTRUCTION M16750.5C
Subj: The Boating Safety Manual (State Edition)

1. **PURPOSE**. This Manual Instruction is published in an effort to promote and coordinate uniform recreational boating safety law enforcement among the several States and U. S. Territories.
2. **DIRECTIVES AFFECTED**. The Boating Safety Manual (State Edition), COMDTINST 16750.5B is hereby cancelled.
3. **DISCUSSION**. The primary responsibility for recreational boating safety law enforcement, education and assistance has shifted to the States. The Coast Guard is responsible for coordinating these efforts. The majority of State boating regulations are patterned after Federal regulations. The Coast Guard is continuing to train State law enforcement officers in recreational boating safety. This is the fourth State edition of this Manual which contains major revisions throughout. Most laws governing recreational boating are contained in Title 46, United States Code, and most regulations governing recreational boating are contained in Title 33 and Title 46 to the Code of Federal Regulations. Comments and recommendations regarding the information contained in this Manual are welcomed.
4. **ACTION**. Coast Guard units shall use the information in this manual for background information only and for cooperative boating safety programs with State personnel.
5. **CHANGES**. This Manual will be updated and distributed when sufficient changes in procedures and/or regulations warrant its revision.

/s/ R. T. NELSON
Chief, Office of Navigation
Safety and Waterway Services

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CHAPTER 1: BOATING SAFETY LAWS

- A. Boat examinations are conducted to ensure compliance with all applicable laws and regulations. The laws have various purposes. Boating safety laws are enforced to save lives.
- B. In 1987, with 16.9 million recreational boats on the water, 1036 people lost their lives in boating accidents. Many of those fatalities could have been prevented through timely enforcement of the boating laws. As an illustration of the effectiveness of the boating laws, consider the following statistics:

YEAR	FATALITIES	ESTIMATE OF BOATS	FATALITIES PER <u>100,000 BOATS</u>
1967	1312	6.65 million	19.7
1977	1312	13.15 million	10.0
1987	1036	16.90 million	6.1

Public Law 98-89 dated August 26, 1983 is the authority for current boating safety regulations. This Act codifies the major provisions of the Federal Boat Safety Act (FBSA) of 1971 in title 46 United States Code. Since 1971 the number of boats in use has more than doubled, while the fatality rate from boating accidents has fallen to less than a third of what it was before the FBSA.

- C. As a marine law enforcement officer, you must have a thorough knowledge of the laws and regulations you enforce. Your knowledge of the boating laws is of particular importance since they apply in the majority of the boardings you will conduct, and, by their effective enforcement, you will be saving lives. This manual is designed to provide you with the additional knowledge you need to educate and assist boaters in complying with the law and operating their boats in the safest manner possible.

D. JURISDICTION

For the purposes of this manual, "Jurisdiction" means the right of a government to exercise legal authority. As between agencies of the government (Coast Guard, National Marine Fisheries Services, State Marine Police, etc.) jurisdiction is the power of a **particular** agency to administer and enforce the law.

Jurisdiction includes the authority to legislate, the power to require compliance with the laws, and in the absence of compliance, to punish. Thus, Congress or the State Legislature exercises its jurisdiction by enacting laws. Law enforcement agencies have jurisdiction to implement and enforce state or Federal laws. The final role is that of the courts, to impose punishment.

E. ELEMENTS OF JURISDICTION

In law enforcement, jurisdiction is divided into three elements:

(1) **jurisdiction as to offense**, (2) **jurisdiction as to place**, and (3) **jurisdiction as to person or thing**. Each of these elements must be present for a law enforcement official to act legally, and each of the elements must be specifically proven in court. In carrying out law

1.E. (Continued)

enforcement duties, the official must be reasonably certain of exercising authority at a proper **location**, and exercising it upon a proper person or thing, for example, in seizing a vessel and exercising this enforcement power on an act or omission where proper authority exists. Generally the law which authorizes the law enforcement official to act will also give the requirements necessary to determine that the elements of jurisdiction are met. A Federal statute dealing with assault reads, in part, "Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows..." In this example, the statute by its terms applies to anyone, not just to a particular class of persons such as crew members or boat operators. The statute then tells us **where** it applies - within the "special maritime and territorial jurisdiction of the United States."

F. TERRITORIAL SEA BASELINE

The baseline is the line from which the territorial, sea is measured, which is generally the low water line along the coasts (including the coasts of islands) and special closing lines across the mouths of rivers, bays, inlets, and other similar indentations. Charts depicting the territorial sea baseline are available for examination in accordance with 33 CFR 1.10-5(b). Waters which are shoreward of the territorial sea baseline are known as internal waters.

G. TERRITORIAL SEA

With respect to the United States, "territorial seas" means the waters within the belt, 3 nautical miles wide, that is adjacent to its coast and seaward of the territorial sea baseline. When adjacent to the United States, all rocks, shoals, and mud lumps or flats which are exposed by mean low water are also considered territory of the United States. [The sovereignty of the United States extends to the territorial sea.] The three mile limit referred to above is adhered to for the present by the United States. The claims of other nations as to the limit of territorial seas range from three to 200 nautical miles. Every nation has the right to establish the breadth of its territorial sea. The U. S. does not recognize the territorial sea claims of other nations in excess of 12 nautical miles.

H. CUSTOMS WATERS

Custom Waters is a term used in the enforcement of the Customs Laws. Customs waters are defined in 19 USC 1401(j) as "waters within such distance of the coast of the United State as...permitted by...treaty or arrangement [with regard to foreign vessels subject to the treaty or arrangement], and, in the case of every other vessel, the waters within four leagues [12 nautical miles] of the coast of the United State." Foreign or domestic vessels within the customs waters of the U. S. are subject to the jurisdiction of the U. S. for any law or regulation pertaining to Customs duties or other provisions under Title 19 USC.

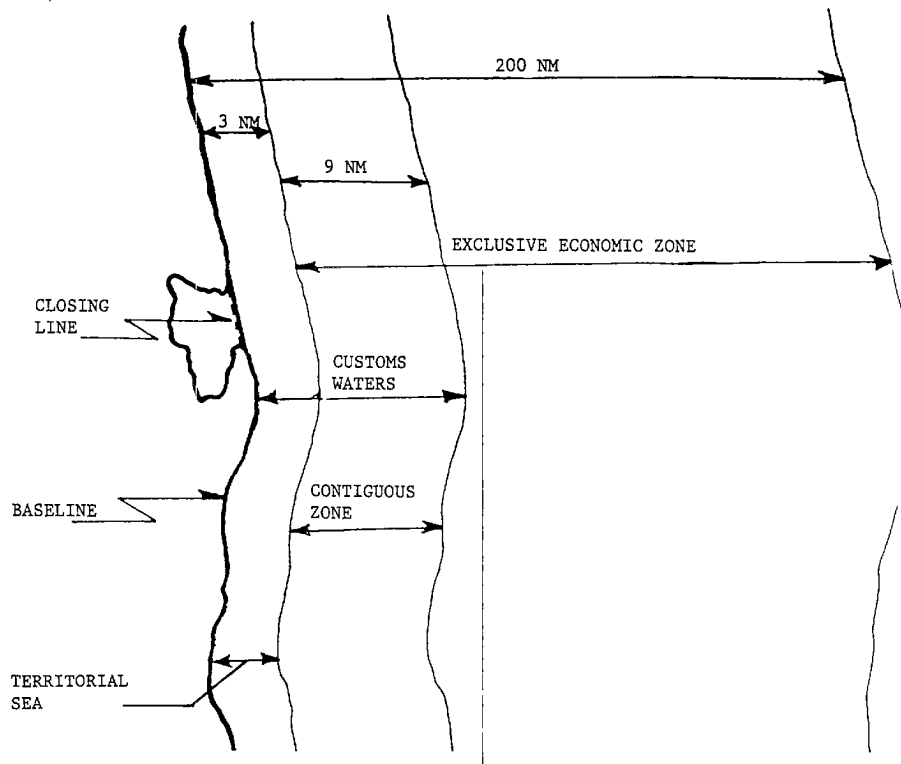


Figure 1-1

I. NAVIGABLE WATER OF THE UNITED STATES

The term "**Navigable Waters of the United States**" includes bays, sounds, rivers, canals, and lakes which are connected with the ocean or the Great Lakes. In addition, bodies of water which, while not connecting with the open sea, may connect two or more states, or a state and a foreign country, can be navigable waters of the United States. Many statutes setting up requirements which are enforced by the Coast Guard apply on the "navigable waters of the United States." Many of these can be found in Title 33 of the U. S. Code. Note, however, that "navigable waters" of the U. S. may be differently defined by various statutes.

J. STATE WATERS

1. **State Waters** are those waters which are confined entirely within a single state. If a body of water in question, is in fact considered state waters, meaning there is no actual Federal link with the body of water, the state will retain exclusive jurisdiction. If the waterway is now or has historically been part of an avenue of commerce and transportation between states, though it is entirely within one state, it will be part of the navigable waters of the U. S. Similarly, if the body of water could at reasonable cost be made navigable for transportation of commerce it may also be within Federal jurisdiction. It should be noted, however, for purposes of the Federal Water Pollution Control Act, navigable waters of the U. S. are more broadly defined to include tributaries and other waters over which the U. S. may exercise Constitutional authority.
2. With regard to state waters the individual states of the Union have territorial rights. These rights are asserted for police purposes, public safety, for governing conduct of persons who may be present within the state, and generally for any purposes not reserved to the Federal government by the Constitution. **Keep in mind that some waters are regulated by both state and Federal law.** An example is the Intracoastal Waterway as it passes through a particular state. That portion of the waterway contained within a state is both a Federal waterway and a state waterway. Although there is an overlapping of jurisdiction between the states and the Federal government, there is not necessarily any conflict in this dual or concurrent jurisdiction since in most cases, the regulation of each will be in its own realm. Generally, the states have cognizance over most criminal acts committed within their waters because the United States statute defining the special maritime and territorial jurisdiction of the United States **excludes the waters within the states' jurisdiction, except the Great Lakes, Federal reservation waters, the territorial sea, and the high seas.** Since many criminal statutes of the United States have for their scope of application the special maritime and territorial jurisdiction of the United States, it follows that jurisdiction over these crimes rests with the states.
3. With the advent of boating safety statutes, instances in which both the Federal and state governments may take jurisdiction are more numerous than they once were. Concurrent jurisdiction between the Federal and state governments should present no problem to the law enforcement officer, since it is governed by simple principles: The state authority enforces state law, the Coast Guard enforces Federal law, and when Federal and state laws both cover the same subject matter, either may enforce with the first on the scene retaining jurisdiction to the completion of the case.

K. HIGH SEAS

For most purposes the **high seas** are defined as all parts of the seas not included in the territorial sea or the internal waters of a country. Since in the United States the territorial sea extends from the low-water mark on the shore (or a baseline enclosing certain bays) to a distance of three nautical miles, the high seas begin at that three-mile limit. Over the territorial sea, the United States has complete jurisdiction. Exceptions include the right of innocent passage by foreign vessels and their right to seek refuge known as "force majeure". The high seas belong to no single nation. They are international waters and the doctrine of "freedom of the seas" applies. Ships of all nations may travel the waters of the high seas, and with certain exceptions they are accountable only to the country whose flag they fly.

L. GREAT LAKES AND NORTHERN BOUNDARY WATERS

The Great Lakes are a mixture of state, Federal and Canadian jurisdictions. The boundary line between Canadian and U. S. waters, developed in accordance with treaties, is found on the various nautical charts of the Great Lakes. U. S. Waters are internal waters. Canada exercises complete sovereignty on her waters, with the result that no hot pursuit arrest, seizure, or search may be made in Canadian waters. By treaty, Coast Guard vessels and aircraft may conduct search and rescue operations in Canadian waters.

M. JURISDICTION AS TO PERSON

When a violation takes place, and it is determined that the law is one which an enforcement officer is empowered to enforce and that the violation has taken place at a location at which the jurisdiction of the state or United States applies, and finally, that the **person or vessel** committing the violation can be apprehended or seized, respectively, within that area of jurisdiction, then jurisdiction is complete, and the enforcement official may proceed to take the first step in the compliance process, be it arrest of a person or seizure of a vessel. Once the status of the offender has been determined and that status places the offender within the limits of the suspected offense, then jurisdiction over the person or vessel can be exercised to the extent allowed by law.

N. JURISDICTION AS TO OFFENSE

The last element of jurisdiction with which we are concerned is that **of jurisdiction over the offense or act**. The enforcement officer must know they have authority to deal with a situation by making certain a State or Federal statute, treaty, or regulation is applicable before they take action.

O. FEDERAL BOAT SAFETY ACT OF 1971

The Federal Boat Safety Act of 1971 provided authority for the Secretary of Transportation to establish minimum safety standards for boats and associated equipment, authorized financial assistance to the states, directed a Boating Safety Advisory Council be established, provided for numbering all undocumented vessels equipped with propulsion machinery, repealed most of the Federal Boating Act of 1958 and amended the Motorboat Act of 1940.

P. BOATING SAFETY SECTIONS OF TITLE 46 USC

1. Provisions from the Federal Boat Safety Act of 1971 were codified in Title 46 USC. Some pertinent boating safety sections of Title 46 are outlined below.

2. Section 2302. Penalties for negligent operations:

- a. A person operating a vessel in a negligent manner that endangers life, limb, or property is liable to the U. S. Government for civil penalty of not more than \$1000.
- b. A person operating a vessel in a grossly negligent manner endangering life, limb, or property shall be fined not more than \$5000, imprisoned for not more than 1 year, or both.
- c. An individual who is intoxicated when operating a vessel, as determined under standards prescribed by the Secretary by regulation, shall be;
 - (1) liable to the U. S. Government for a civil penalty of not more than \$1000; or,
 - (2) fined not more than \$5000, imprisoned for not more than one year, or both.
- d. For a penalty imposed under this section, the vessel also is liable in rem unless the vessel is;
 - (1) owned by a State or a political subdivision of a State;
 - (2) operated principally for government purposes; and,
 - (3) identified as a vessel of the State or subdivision.

3. Section 2303. Duties related to marine casualty assistance and information:

- a. The master or individual in charge of a vessel involved in a marine casualty shall;

1.P.3.a. (Continued)

- (1) render necessary assistance to each individual affected to save that affected individual from danger caused by the marine casualty, so far as the master or individual in charge can do so without serious danger to the master's or individual's vessel or to individuals on board; and,
 - (2) give the master's or individual's name and address and identification of the vessel to the master or individual in charge of any other vessel involved in the casualty, to any individual injured, and to the owner of any property damaged.
- b. An individual violating this section or a regulation prescribed under this section shall be fined not more than \$1000 or imprisoned for not more than 2 years. The vessel also is liable in rem to the U. S. Government for the fine.
 - c. An individual complying with subsection (a) of this section or gratuitously and in good faith rendering assistance at the scene of a marine casualty without objection by an individual assisted, is not liable for damages as a result of rendering assistance or for an act or omission in providing or arranging salvage, towage, medical treatment, or other assistance when the individual acts as an ordinary, reasonable, and prudent individual would have acted under the circumstances.

4. Section 4302. Regulations:

The Secretary may prescribe regulations;

- a. establishing minimum safety standards for recreational vessels and associated equipment, and establishing procedures and tests required to measure conformance with those standards, with each standard;
 - (1) meeting the need for recreational vessel safety; and,
 - (2) being stated, insofar as practicable, in terms of performance;
- b. requiring installation, carrying, or use of associated equipment (including fuel systems, ventilation systems, electrical systems, sound producing devices, firefighting equipment, lifesaving devices, signaling devices, ground tackle, life and grab-rails, and navigational equipment) on recreational vessels and classes of recreational vessels subject to this chapter, and prohibiting installation, carrying, or use of associated equipment not conforming with safety standards established under this section; and,

- c. requiring or permitting display of seals, labels, plates, insignia, etc. certifying or evidencing compliance with safety regulations and standards of the U. S. Government for recreational vessels and associated equipment.

5. Section 4307. Prohibited acts:

a. A person may not;

- (1) manufacture, construct, assemble, sell or offer for sale, introduce or deliver for introduction into interstate commerce, or import into the United States, a recreational vessel, associated equipment, or component of the vessel or equipment unless;

- (a) (i) it conforms with this chapter or a regulation prescribed under this chapter; and,

- (ii) it does not contain a defect which has been identified, in any communication to such person by the Secretary or the manufacturer of that vessel equipment, or component, as creating a substantial risk of personal injury to the public; or,

- (b) it is intended only for export and is so labeled, tagged, or marked on the recreational vessel or equipment, including any markings on the outside of the container in which it is to be exported.

- (2) affix, attach, or display a seal, document, label, plate, insignia, or other device indicating or suggesting compliance with standards of the United States Government on, in, or in connection with, a recreational vessel or item of associated equipment that is false or misleading; or,

- (3) fail to provide notification as required by this chapter or fail to exercise reasonable diligence in the notification and reporting requirements of this chapter.

b. A person may not operate a vessel in violation of this chapter or a regulation prescribed under this chapter.

6. Section 4308. Termination of unsafe operation:

If an official charged with enforcement of this chapter observes a recreational vessel being operated without sufficient lifesaving or firefighting devices or in an overloaded or other unsafe condition (as defined in regulations prescribed under this chapter) and, in the judgment of the official, the

1.P.6. (Continued)

operation creates an especially hazardous condition, the official may direct the operator of the recreational vessel to take immediate and reasonable steps necessary for the safety of individuals on board the vessel, including directing the operator to return to a mooring and to remain there until the situation creating the hazard is corrected or ended.

7. Section 8903. Uninspected passenger vessels.

An uninspected passenger vessel shall be operated by an individual licensed by the Secretary to operate that type of vessel, under prescribed regulations.

NOTE:

DEALER DEMONSTRATIONS

Section 8903 of this title does not apply to a vessel being operated for bona fide dealer demonstrations provided without fee to business invitees. If based on substantial evidence, the Secretary decides, requiring such vessels, to be under the control of licensed individuals is necessary for boating safety, regulations may be prescribed requiring licensing, in the same manner as provided for individuals in control of vessels carrying passengers for hire.

8. Section 12301. Numbering of vessels.

An undocumented vessel equipped with propulsion machinery of any kind shall have a number issued by proper issuing authority in the State in which the vessel is principally operated.

9. Section 12302. Standard Numbering System.

- a. A State with an approved numbering system is the issuing authority within the meaning of this chapter. The Secretary is the issuing authority in a State in which a State numbering system has not been approved.
- b. When a vessel is numbered in a State, it is deemed in compliance with the numbering system of a State where it is temporarily operated.
- c. When a vessel is moved to a new State of principal use, the issuing authority of that State shall recognize the validity of the number issued by the original State for 60 days.
- d. If a State has a numbering system approved after the Secretary issues a number, the State shall recognize the validity of the number issued by the Secretary for one year.
- e. When the Secretary decides that a State numbering system is not being carried out consistent with the standard numbering system or the State has changed the system without the

1.P.9.e. (Continued)

Secretary's approval, the Secretary may withdraw approval after giving notice to the State, in writing, stating the reasons for the withdrawal.

10. Section 12303. Exemption from numbering requirements.

- a. When the Secretary is the authority issuing a number under this chapter, the Secretary may exempt a vessel or class of vessels from the numbering requirements of this chapter under conditions the Secretary may prescribe.
- b. When a State is the issuing authority, it may exempt from the numbering requirements of this chapter a vessel or class of vessels exempted under subsection (a) of this section or otherwise as permitted by the Secretary.

11. Section 12304. Certificates of numbers.

- a. A certificate of number is granted for a number issued under this chapter. The certificate shall be pocket-sized, shall be at all times available for inspection on the vessel for which issued when the vessel is in operation, and may be valid for not more than 3 years. The certificate of number for a vessel less than 26 feet in length and leased or rented to another for the latter's noncommercial operation of less than 7 days may be retained on shore by the vessel's owner or representative at the place from which the vessel departs or returns to the possession of the owner or the owner's representative. A vessel that does not have the certificate of number on board shall be identified when in operation, and comply with requirements, as the issuing authority prescribes.
- b. The owner of a vessel numbered under this chapter shall provide;
 - (1) the issuing authority notice of the transfer of any part of the owner's interest in the vessel or of the destruction or abandonment of the vessel, within a reasonable time after the transfer, destruction, or abandonment; and,
 - (2) notice of a change of address within a reasonable time of change, as prescribed by regulation.

12. Section 12305. Displaying numbers.

A number required by this chapter shall be painted on, or attached to, each side of the forward half of the vessel for which it was issued, and shall be the size, color, and type as may be prescribed by the Secretary. No other number may be carried on the forward half of the vessel.

13. Section 12306. Safety certificates.

When a State is the authority issuing a number under this chapter, it may require the individual in charge of a numbered vessel to have a valid safety certificate issued under conditions set by the issuing authority, except when the vessel is subject to manning requirements.

14. Section 12307. Regulations on numbering and fees.

The authority issuing a number under this chapter may prescribe regulations and establish fees to carry out the intent of this chapter. The fees shall apply equally to residents and nonresidents of the State. A State issuing authority may only impose conditions for vessel numbering that are:

- (1) prescribed by this chapter or regulations of the Secretary about the standard numbering system; or,
- (2) related to proof of payment of State or local taxes.

15. Section 12308. Vessel numbering and registration information.

A person may request from an authority issuing a number under this chapter the numbering and registration information of a vessel that is retrievable from vessel numbering system records of the issuing authority. When the issuing authority is satisfied the request is reasonable and related to a boating safety purpose, the information shall be provided on paying the cost of retrieving and providing the information requested.

Q. BOATING SAFETY LAWS AND PUBLIC LAW 98-89

1. This section will acquaint you with some of the material you need to know to answer questions and carry out your responsibilities in boating law enforcement.
2. Public Law 98-89 revised, consolidated, and enacted certain laws related to vessels and seamen as subtitle II of Title 46, U. S. Code, "Shipping". Several laws pertinent to the recreational boating safety program were codified into this law. Provisions from The Federal Boat Safety Act of 1971 were also codified. These are the primary laws that we will deal with in this manual.

R. NEGLIGENCE AND GROSSLY NEGLIGENCE OPERATION

1. **Negligent operation** is the failure to exercise that degree of care necessary under the circumstances to prevent endangering life, limb or property. Negligent operations may be a result of the operator's ignorance, inattention, indifference, or carelessness.

2. **Grossly negligent** implies extreme negligence. Gross negligence is an absence of all care. The term means the operator of a boat knows a certain act can create an unreasonable risk of harm, even though he does not necessarily intend to cause harm.

S. EXAMPLES OF NEGLIGENT OPERATION

1. Failure to reduce speed in areas of high boating concentration
Excessive speed can create a dangerous wake threatening safety and causing damage or loss of equipment to other boats.
2. Operating at excessive speed in fog or other adverse conditions.
Hazardous conditions may exist when maneuverability is restricted in narrow channels or when visibility is obstructed by jetties, land, or other boats.
3. Towing water skiers in an area where a fallen skier is likely to be hit by another vessel or where obstructions exist.
4. Operation within a swimming area where swimmers are normally present. If the area is posted, and swimmers are present, this may constitute grossly negligent operation.
5. Operation in the vicinity of dams when such areas are known to be hazardous. When the areas are marked by warning signs, buoys, or other means to inform the public of the hazards present, operation would be of a greater degree of negligence than if not posted. If there has been previous usage of the waters by boaters, it may be difficult to prove negligence unless there is a history of casualties.

T. OPERATING WHILE UNDER THE INFLUENCE OF INTOXICANTS OR DRUGS

1. The Coast Guard Authorization Act of 1984 (Public Law 98-557) amended 46 U.S.C. 2302, and required the Coast Guard to set standards for determining whether a person is intoxicated while operating a vessel and provides penalties for violations. Intoxicant is defined, chemical tests have been established with subjective behavioral standards as independent evidence of intoxication.
2. Federal BAC level standard is .10% for recreational vessels, (.04% for vessels other than recreational vessels) except in States with enacted BAC levels, and provides for an independent behavioral standard. The BAC level enforced is .10%, except in Utah (.08%) and Maryland (.13%).
3. The States will perform primary enforcement effort for recreational vessels.

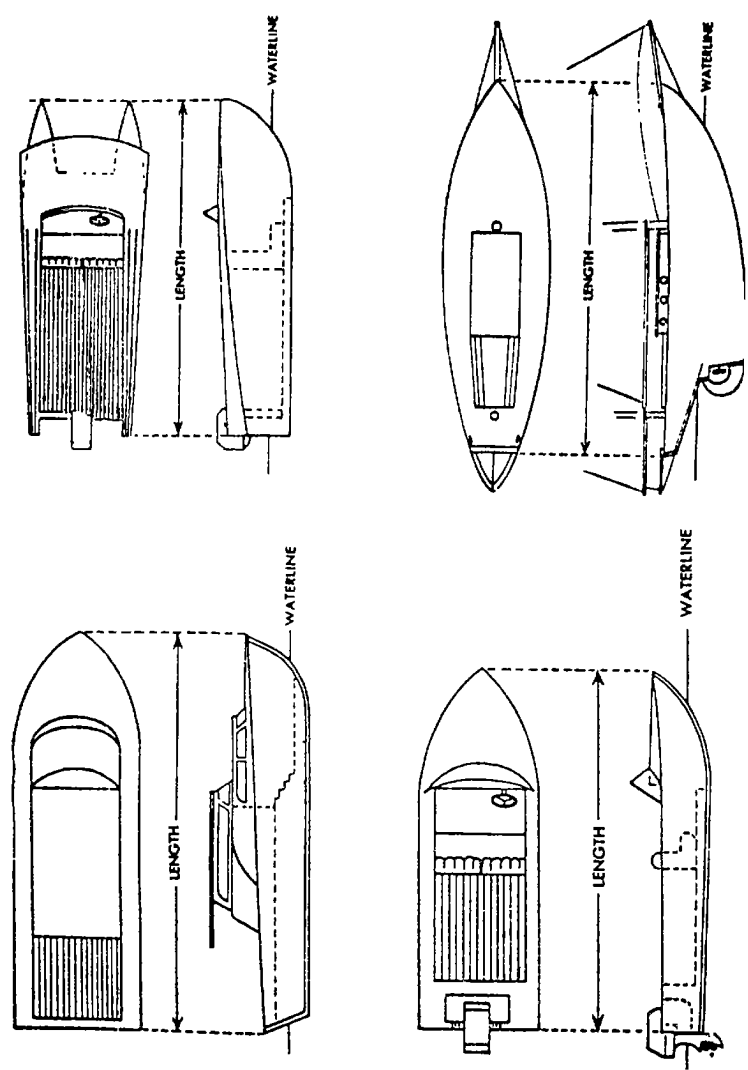
CHAPTER 2: EQUIPMENT AND BOAT OPERATOR REQUIREMENTS

A. INTRODUCTION

This chapter covers personal flotation devices, fire extinguishers, flame arresters, sound producing devices, marine sanitation devices, visual distress signals, ventilation systems, and numbering. Descriptions, storage requirements, and conditions for acceptability are included. Reference for this information is contained in Title 33 and 46 Code of Federal Regulations.

B. COAST GUARD APPROVED EQUIPMENT

1. The following equipment must be Coast Guard approved to be accepted by the marine law enforcement officer:
 - a. Personal flotation devices;
 - b. Fire extinguishers;
 - c. Flame arresters; and,
 - d. Visual distress signals.
2. To be approved, the Commandant has prescribed detailed specifications concerning the performance and design of this equipment. The equipment meeting these specifications is "U.S. Coast Guard Approved." On recreational boats, any items in addition to the minimum number required on board are not required to be Coast Guard approved.
3. LENGTH OF VESSEL
 - a. Equipment requirements depend on the length of the vessel. The length of boat to which it applies is stated in the regulation.
 - b. The vessels length is listed on the certificate of number. Carriage requirements differ for a vessel less than 16'; 16' to less than 26'; 26' to less than 40'; 40' to not more than 65'. It may be necessary to measure the vessel when the certificate lists the length as 16', 26', 40', or 65' to determine its exact size, which dictates specific equipment requirements. Measurement is essential if the length is near one of these various borderline lengths that would determine different carriage requirements.
 - c. Measure the permanent part of the hull, from the forward end to the after end, down the centerline, in a straight line. Do not include bowsprits, rudders, outboard motors or similar fittings. If measured, indicate so in the remarks on the boarding form. Figure 2-1 shows measuring procedures.



Measuring Procedures

Figure 2-1

4. MARKING REQUIREMENTS

All Coast Guard approved items **now manufactured** display markings showing Coast Guard approval. Marine law enforcement officers can determine if equipment was acceptable as Coast Guard approved, by looking the equipment up in COMDTINST M16714.3 series, "Equipment List". This publication lists equipment which is or was approved by the Coast Guard and is now acceptable on recreational boats.

5. WITHDRAWAL OF APPROVAL

- a. Withdrawal of approval can occur if the product is no longer manufactured or it does not meet new specifications.
- b. Withdrawal of approval does not necessarily mean articles previously approved are now disapproved. Normally, previously approved articles are acceptable as long as they are in good and serviceable condition. Exceptions to this rule are specifically announced, such as in cases where imminent safety hazards have been disclosed. Examples of exceptions are: carbon tetrachloride fire extinguishers and unprotected kapok or fibrous glass personal flotation devices. Unprotected means the kapok or fibrous glass is not sealed in plastic containers.

6. DEFECTIVE EQUIPMENT

- a. When marine law enforcement officers detect Coast Guard approved equipment which has apparent manufacturing defects, the following action should be taken:
 - (1) Obtain the name and address of the manufacturer, name and model of the device, Coast Guard approval number, lot number, date and address where the device was purchased. List why the device was defective.
 - (2) Forward information to the nearest Coast Guard district commander, who may: (1) take independent action with the company or (2) refer to Commandant (G-MVI) for appropriate action.
- b. Other discrepancies of manufacturing defects which may constitute hazards should be reported to the nearest Coast Guard district commander.

C. PERSONAL FLOTATION DEVICES (PFDs)

1. GENERAL TYPE DESCRIPTION

- a. There are five types of personal flotation devices (PFDs).
A description of each is provided in the following table.

TYPE PFD	FLOATABILITY	MINIMUM BUOYANCY	ADVANTAGES	DISADVANTAGES	ENVIRONMENT
TYPE I	Will float majority of people face-up even if unconscious.	22 pounds (Adult)	Excellent performance. Suitable for rough water.	Very bulky and cumbersome.	Offshore, open water, coastal cruising.
TYPE II	Some wearers may not float face-up if unconscious.	15.5 pounds (Adult)	Good flotation and low cost.	Uncomfortable. Not suitable for rough or cold water.	Inland water or where rescue will be quick.
TYPE III	May take active participation to float wearer in upright position.	15.5 pounds (Adult)	Comfortable and stylish. Allows wearer to swim. Useful in water-skiing, small boat sailing, etc.	Not suitable for rough or cold water.	Inland water or where rescue will be quick.
TYPE IV	A broad category for devices designed to be thrown.	16.5 pounds for ring buoy. 18 pounds for cushions.	Throwable.	Cannot be worn.	In areas where there are boats and rescue will be quick.
TYPE V HYBRID (Required to be worn)	Inflated - provides either Type I, II, or III performance. Deflated - may not float some people.	22 pounds when fully inflated (Adult) 7.5 pounds deflated (Adult)	Very comfortable and stylish. May provide better flotation than Type II or III.	Higher cost. Requires attentive maintenance.	Depends on equivalent flotation performance (i.e. Type I, Type II, or Type III).
TYPE V SPECIAL	A Type V PFD is approved for restricted uses or activities such as board-sailing, commercial white water rafting, etc. The label on the PFD indicates whether a particular design can be used in a special application, what restrictions or limitations apply, and its equivalent flotation performance Type.				

Performance Characteristics of CG Approved PFDs

Table 2-1

five types flotation devices (PFDs)

2. FEDERAL REQUIREMENTS FOR CARRIAGE OF PFDs.

- a. Coast Guard regulations in Part 175 of Title 33, Code of Federal Regulations require personal flotation devices in the following three situations:
- (1) No person may use a recreational boat less than 16 feet in length or a canoe or kayak unless at least one personal flotation device (PFD) of the following types is on board for each person: (1) Type I PFD, (2) Type II PFD, (3) Type III PFD, or (4) Type IV PFD.

2.C.2.a. (Continued)

(2) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one personal flotation device of the following types is on board for each person: (1) Type I PFD, (2) Type II PFD, or (3) Type III PFD.

(3) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one Type IV PFD is on board in addition to the PFDs required in paragraph (2).

b. A Type V PFD may be carried in lieu of and PFD required if that Type V PFD is approved for the activity in which the recreational boat is being used or if used within the limitations of its approval.

3. PERFORMANCE TYPES OF APPROVED PFDs MADE PRIOR TO 1972

For a device without a type marking or for Type I and II devices manufactured prior to 1972, the following table explains the equivalent performance type for each type, along with the approval number assigned to the device.

Devices marked		are equivalent to
160.002	Life preserver	Performance Type I PFD
160.003	Life preserver	Performance Type I PFD
160.004	Life preserver	Performance Type I PFD
160.005	Life preserver	Performance Type I PFD
160.009	Ring life buoy	Performance Type IV PFD
160.047	Buoyant vest	Performance Type II PFD
160.048	Buoyant cushion	Performance Type IV PFD
160.049	Buoyant cushion	Performance Type IV PFD
160.050	Ring life buoy	Performance Type IV PFD
160.052	Buoyant vest	Performance Type II PFD
160.053	Work vest	Performance Type V PFD
160.055	Life preserver	Performance Type I PFD
160.060	Buoyant vest	Performance Type II PFD
160.064	Special Purpose	A device intended to be worn
	Water Safety	may be equivalent to Type II
	Buoyant Devices	or III. A device equivalent to a Type III is marked "Type III Device-may not turn unconscious wearer." A device intended to be grasped is equivalent to Type IV.

4. USE AND CARE REQUIREMENTS FOR PFDs

a. Personal flotation devices must meet the following requirements to be acceptable to boating safety officers:

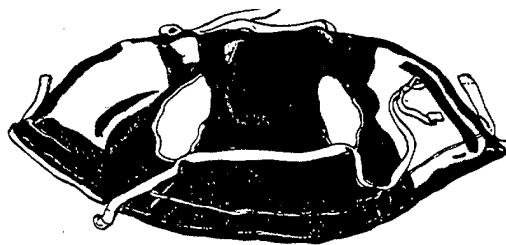
2.C.4.a. (Continued)

- (1) They shall be **Coast Guard approved**.
 - (2) Types I, II, III or V must be **readily accessible**. While there is no legal definition this generally means they must be reached and put on in a reasonable amount of time under emergency conditions (vessel sinking, on fire, etc.). Examples of PFD's **not** readily accessible are those located in a locked locker, those stored under an anchor, or enclosed in shipping covers. **A Type V Hybrid must be worn to be accepted**. Other Type Vs may have other restrictions on their labels.
 - (3) The Type IV PFD must be **immediately available**. These devices must be on deck and easily reached in time of emergency. If the boater can reach the device and throw it to a person in the water in an emergency it is considered to be immediately available.
 - (4) PFDs shall be in **good and serviceable condition**. The Commandant has defined this term as being able to perform their intended function.
 - (5) PFDs shall be of appropriate size for the intended wearers (within the weight range/chest size marked on the device).
- b. The absence of any one of these five requirements would cause the person using the recreational boat to be in violation of the law.

5. TYPE I PFDS (OFF-SHORE LIFE JACKET)

a. Construction.

- (1) Approved life preservers are of the jacket or bib design. They may be constructed with pads of kapok or fibrous glass or may use foam as the buoyant material. They have a vinyl dipped or cloth covering fitted with a maximum of three straps or ties. The jacket design has a covering of continuous construction whereby the flotation cells are not joined merely by straps, but are constructed as part of the jacket.
- (2) Life preservers come in two sizes: adult size and child size. The adult size is designed for persons weighing 90 pounds or more, and the child size is designed for persons weighing less than 90 pounds.
- (3) Life preservers are required to be manufactured in a highly visible color, such as Indian Orange, International Orange, or Scarlet Munsell Red.



Type I PFD, Off-Shore Life Jacket

Figure 2-2

b. Marking.

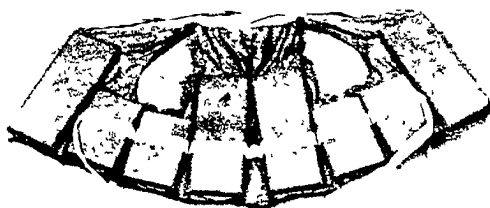
- (1) Each life preserver must have the following clearly marked in waterproof ink on the front section in letters three-quarters of an inch or more in height:

- (a) Adult (for persons weighing over 90 pounds); or,
- (b) Child (for persons weighing less than 90 pounds).

- (2) Additionally each life preserver must have the information in 2. C. 14. clearly marked in waterproof lettering on a front section, in letters that can be read at a distance of two feet.

c. Previously Approved Life Preservers

- (1) The Coast Guard no longer approves PFDs using cork or balsa wood as buoyant material. (Approval Numbers 160.003 and 160.004). Those PFDs approved as such that are still in good and serviceable condition **are acceptable**. See Figure 2-3.



Cork PFD

Figure 2-3

2.C.5.c. (Continued)

- (2) The Coast Guard no longer approves or accepts PFDs using certain vinyl dip coated unicellular plastic foam as buoyant material. These PFDs lose their flexibility at temperatures below 28 degrees so that it is not possible to stretch the head opening wide enough to don such life preservers. Do not accept a PFD with one of the following Coast Guard approval numbers:

160.055/1/0,	160.055/2/0,	160.055/5/0,
160.055/6/0,	160.055/7/0,	160.055/8/0,
160.055/11/0,	160.055/12/0,	160.055/20/0,
160.055/21/0,	160.055/22/0,	160.055/28/0,
160.055/29/0.		



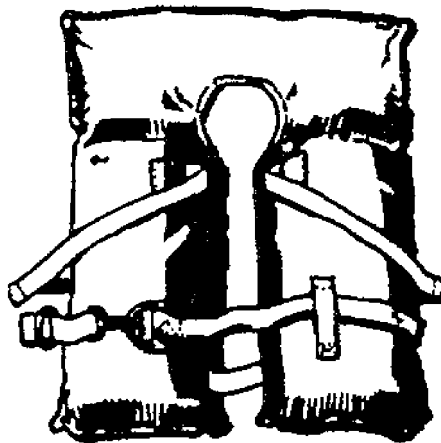
Formerly Approved - Not Acceptable PFDs

Figure 2-4

6. TYPE II PFDs (NEAR-SHORE BUOYANT VESTS)

a. Construction.

Approved buoyant vests are the bib or yoke style design. They are constructed of pads of kapok, fibrous glass, or foam and have a cloth or vinyl dipped covering fitted with necessary straps and ties.



Type II PFD, Near-Shore Buoyant Vest

Figure 2-5

2.C.6.b.

b. Marking.

In addition to the information in 2. C. 14. each buoyant vest must have the following information:

(a) FOAM

Dry out thoroughly when wet.

(b) KAPOK OR FIBROUS GLASS

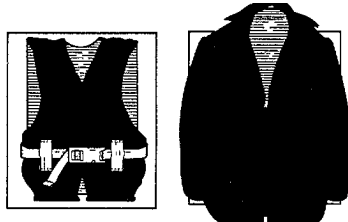
Dry out thoroughly when wet.

If pads become waterlogged, replace device.

7. TYPE III PFDS (FLOTATION AID)

a. Construction.

- (1) Marine buoyant devices come in various designs and construction and are marked to show the intended purpose of the device. These devices could be classified as Type II, III or IV PFDs depending on the construction and purpose.



Type III PFD, Flotation Aid

Figure 2-6

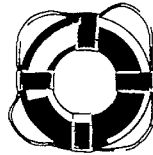
8. TYPE IV PFDS (THROWABLE DEVICE)

a. Construction of Ring Buoys.

- (1) Approved ring buoys are available in 20", 24", and 30" sizes. An 18" ring buoy is also Coast Guard approved as a Marine Buoyant Device and is acceptable for use on recreational boats only (as a Type IV). Present lifering buoys are constructed of plastic foam, coated with a special surface. In years prior to 1978, some lifering buoys were constructed of cork or balsa wood. These devices were fitted with a canvas cover. Cork and

2.C.8.a. (Continued)

balsa wood buoys used approval number 160.009. They are no longer manufactured, but are still acceptable, provided they are in good and serviceable condition. All ring buoys are fitted with a grab line which must be white, orange, or black. Ring buoys are acceptable on recreational boats under 16 feet in length and all canoes and kayaks, as meeting the PFD requirements for those on board. For all other vessels they meet the throwable device requirement **only**.



Type IV PFD, Throwable Device (Ring Buoy)

Figure 2-7

b. Construction of Buoyant Cushions.

- (1) The buoyant material of currently approved cushions may be kapok, fibrous glass, or plastic foam covered with various types of fabric or upholstery cloth or, in the case of foam cushions, vinyl dipped materials. Buoyant cushions are fitted with grab straps and come in a variety of colors. Buoyant cushions are acceptable on recreational boats under 16 feet in length and all canoes and kayaks, as meeting the PFD requirements for those on board. For all other vessels they meet the throwable device requirement **only**. The cushion is designed to be a grasping device.

c. Marking.

- (1) In addition to the requirements of section 14, each buoyant cushion must have the following information:
 - (a) KAPOK OR FIBROUS GLASS
Do not snag or puncture inner plastic cover.
If pads become waterlogged, replace device.
Approved for use on recreational boats less than 16 feet in length and all canoes and kayaks, and only as a throwable device on all other recreational boats.

2.C.8.c. (Continued)

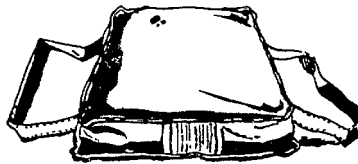
Width, thickness, and length, including both top and bottom for trapezoidal cushions.

In letters that are distinctively set off or larger than all other marking, and are at least one-fourth of an inch in height: WARNING: DO NOT WEAR ON BACK

(b) FOAM

Width, thickness, and length, including both top and bottom for trapezoidal cushions.

In letters that are distinctively set off or larger than all other marking, and are at least one-fourth of an inch in height: WARNING: DO NOT WEAR ON BACK



Type IV PFD, Throwable Device (Buoyant Cushion)

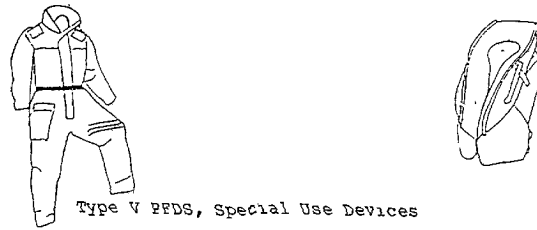
Figure 2-8

9. TYPE V PFDS (SPECIAL USE DEVICE)

- a. A TYPE V device is any approved device designed for specific and restricted use. The specific approved use of a TYPE V and any restrictions or limitations will be described on the device. Some TYPE V PFDS are, under certain conditions, approved as a replacement for a TYPE III or other device. Some of the restricted applications for which Type V devices have been approved include board sailing, thermal coveralls for thermal protection, work, commercial white water rafting, and hybrid inflatables which must be worn.
- b. A Type V Hybrid PFD is an inflatable device which can be the most comfortable and has a minimum of 7-1/2 pounds of buoyancy deflated and 22 pounds of buoyancy when inflated. In order for the device **to be acceptable** for use on recreational boats, **it must be worn** except when the boat is not underway or when the user is in an enclosed space. This type of PFD provides an extra degree of comfort by having a reduced amount of inherent buoyancy. However, the user must accept the responsibility for care of the device and in-water trials to check its performance. The buoyancy provided by this PFD when it is not inflated will float

2.C.9.b. (Continued)

approximately 70 percent of the boating public. Therefore, it is not recommended for non-swimmers unless worn with enough inflation to float the wearer. This type of PFD is only approved for persons weighing more than 90 pounds.



Type V PFDs, Special Use Devices

Figure 2-9

10. REQUIREMENTS FOR UNINSPECTED COMMERCIAL VESSELS:

- a. Each vessel less than 40 feet in length which does not carry passengers for hire must have at least one life preserver, buoyant vest, or marine buoyant device intended to be worn, (Type I, II, III, or commercial Type V hybrid PFD) of a suitable size for each person on board. Kapok and fibrous glass life preservers that do not have plastic-covered pad inserts are not acceptable as equipment by this rule. Hybrid PFDs must be worn except when the vessel is not underway or when the user is in enclosed space. See PFD label for other possible conditions of use.
- b. Each vessel carrying passengers for hire and each vessel 40 feet in length or longer carrying passengers for hire must have at least one life preserver **(Type I or Commercial Type V PFD)** of a suitable size for each person on board. Kapok and fibrous glass life preservers which do not have plastic-covered pad inserts are not acceptable as equipment required by this rule. Hybrid PFDs, same as above.
- c. Each vessel 26 feet in length or longer must have at least one ring life buoy in addition to the equipment required by paragraphs (1) or (2) above. Ring Buoys must be a **20", 24", or 30"** size. Ring buoys bearing a Coast Guard Approval number of 160.064 shall not be acceptable on these vessels.
- d. Throwable devices are not required on uninspected commercial vessels less than 26 feet in length.
- e. Wearable PFDs must be approved, in good and serviceable condition, and readily accessible. The ring buoy must be immediately available and of suitable size. The absence of any of these requirements rules the PFD unacceptable.

11. EXPOSURE SUITS

- a. Exposure suits, also known as "survival suits" or immersion suits, are not included in the five types of PFDs. They are a specialized abandon-ship device required to be carried on oceangoing merchant ships in addition to life preservers. Exposure suits may be substituted for required PFDs on board uninspected commercial vessels not carrying passengers for hire. See 46 CFR 25.25-5(e). Recreational boats are not covered by this regulation and must carry the required PFDs even if they have exposure suits as extra equipment.
- b. Immersion suits are approved under 46 CFR 160.171, and must not be confused with deck suits anti-exposure coveralls approved as Type V PFDs. Some confusion has resulted among uninspected vessel operators from this distinction. Indiscriminate use of the term "survival suit" to describe Type V anti-exposure PFDs as well as exposure suits, has led to the mistaken notion that an uninspected vessel over 40 feet in length may substitute Type V anti-exposure PFDs for their required Type I PFDs. This is not the case.

12. EXAMINATION OF PERSONAL FLOTATION DEVICES

a. Examination Of Life Preservers

- (1) Life preservers are most often of the kapok type, although glass, cork, balsa wood, and unicellular plastic foam may be encountered. In general, the longer a life preserver has been in service, the more time-consuming is its examination.
- (2) Despite the mildew inhibitor treatment required for the cloth, webbing, tapes and thread of life preservers, certain areas of the envelope eventually will rot. This may take place over a long period of time or fairly rapidly in unfavorable conditions. More often than not, the most seriously affected surfaces of the envelope will appear stained, aged, or otherwise discolored. Where these areas appear, they should be fingertip tested by twisting with the tips of the fingers.
- (3) If a strap is missing completely, it may not be detected unless the marine law enforcement officer develops a habit of examining with this possibility in mind. The first strap to be missing is usually the neck strap.
- (4) Kapok and fibrous glass PFDs will frequently become waterlogged and unserviceable. This is particularly true of PFDs where the plastic film pad covers have been punctured, torn or ruptured. The plastic film covering the kapok and fibrous glass is an added feature to ensure

2.C.12.a. (Continued)

the flotation material is not waterlogged or oil soaked by prolonged exposure. PFDs with punctured, torn or ruptured plastic film pad covers, where the kapok or fibrous glass material is dry, not compressed, and free of mildew odor are serviceable. It is, however, appropriate to advise the boater that while the device is serviceable at the time it is examined, it should be replaced. Prolonged use of a device with a punctured, torn or ruptured pad may eventually result in a matted or waterlogged device which will not be acceptable as a serviceable PFD, and will be a danger to anyone who must use it.

- b. Examination Of Buoyant Vests And Buoyant Cushions
The guide for the **inspection** of life preservers is, in general, applicable for the **inspection** of buoyant vests and buoyant cushions. The dual service of the buoyant cushions as a seat cushion and lifesaving device causes them to become unserviceable more rapidly than wearable PFDs. In as much as the cushion is a grasping device, the straps should be thoroughly checked. The strap is required to be one continuous piece.
- c. Examination Of Ring Buoys
Ring life buoys may be cork, balsa wood or unicellular plastic foam. In canvas-covered balsa or cork ring life buoys, the marine enforcement officer should look for tears, holes, gouges, or rot in the canvas covering, especially at parts which have been in contact with metal brackets. Any part of the ring buoy that feels damp during the **inspection** probably will have its canvas rotted at that point. The stitching, the canvas or web straps (beckets) holding the line in place, and the line itself must be in good condition. However, other than gouges or cracks in the plastic foam, cracking of the vinyl or fibrous glass coverings or casings, and eventual deterioration of beackets or line, few defects develop.

13. AUTHORIZED REPAIRS

- a. Marine law enforcement officers should use careful judgement in deciding whether a device is good and serviceable though in need of **minor** repairs. For example if the device is not good and serviceable due to a missing tie strap, then a violation will occur regardless of whether repairs will restore it to good and serviceable condition.
- b. Emergency repairs to otherwise sound PFD covers may be made to PFDs which are otherwise in satisfactory condition. Such repairs do not require any prior approval by the Coast Guard,

2.C.13.b. (Continued)

but must be acceptable to the marine law enforcement officer. Satisfactorily repaired **small** holes and tears in the cover fabric should be acceptable. However, tears which would adversely affect strength, such as a tie strap, would render a PFD unserviceable.

14. IDENTIFICATION AND MARKING OF PFDs

- a. PFDs are identified by a Coast Guard approval number and the manufacturer model number which are contained on a label attached to the PFD. The required text of the labels has changed over the years. The most recent change was in 1978 when an information pamphlet became required with each PFD sold by a manufacturer to recreational users. The general information required on the labels of PFDs manufactured since that time is:

Type (I, II, III, IV, or V) Personnel Flotation Device.

Inspected and tested in accordance with U.S. Coast Guard regulations.

(Name of buoyant material) buoyant material provides a minimum buoyant force of () lbs.

A statement of the types of vessels the PFD is approved for use on and the weight range of persons it is approved for.

U. S. Coast Guard Approval No. (subpart no)/(assigned manufacturers no.)/(revision no.)

Model Number.

Name and address of manufacturer of distributor.

Lot Number.

Kapok and Type II fibrous glass PFDs will also be marked:

Do not snag or puncture inner plastic cover.

- b. All types of devices may have additional markings that do not contradict the required markings. Some types of devices have additional required markings as discussed in the appropriate section. Marking must be clearly printed in waterproof lettering that can be read at a distance of two feet. Despite the fact that permanent type labels are required, the permanency of labels, in some cases has left a great deal to be desired. The ends of safety are not served by rejecting acceptable equipment due to faulty labeling. Marine law enforcement officers should use considerable

2.C.14.b. (Continued)

discretion in dealing with this problem. If the marine law enforcement officer is convinced the PFD was approved and is actually in good and serviceable condition except for an unreadable label, the officer may accept the equipment as complying with the intent of the regulations. However, care should be exercised in order that equipment which has NEVER been approved will not be given an unintentional avenue of acceptance and devices with undue compression and buoyancy loss are not allowed to be used.

15. RETRO-REFLECTIVE MATERIAL FOR **UNINSPECTED COMMERCIAL** VESSELS
(46 CFR 25.25.-15)

- a. Each Type I, II, III or Type V hybrid PFD, carried on a commercial vessel must have Type I retro-reflective material that is Coast Guard approved.
- b. Each item requiring it, must have retro-reflective material applied as described in 2. C. 17.

16. RETRO-REFLECTIVE MATERIAL FOR SMALL PASSENGER VESSELS UNDER 100 GROSS TONS (46 CFR 180.25.-25)

- a. Each life preserver carried must have approved Type I retro-reflective material attached as described in 2. C. 17.

17. PLACEMENT OF RETRO-REFLECTIVE MATERIAL:

Each PFD which must have retro-reflective material shall have 200 sq. cm. (31 square inches) of APPROVED material on the front side, and 200 sq. cm. (31 square inches) of material on the back side. If the PFD is reversible, as all TYPE I PFD's are required to be, there must be 200 sq. cm. (31 square inches) of material on each of the reversible sides. The material must be divided equally between the upper quadrant of each side and placed as close to the shoulder as possible. For example of retro-reflective material placement see 2-10.

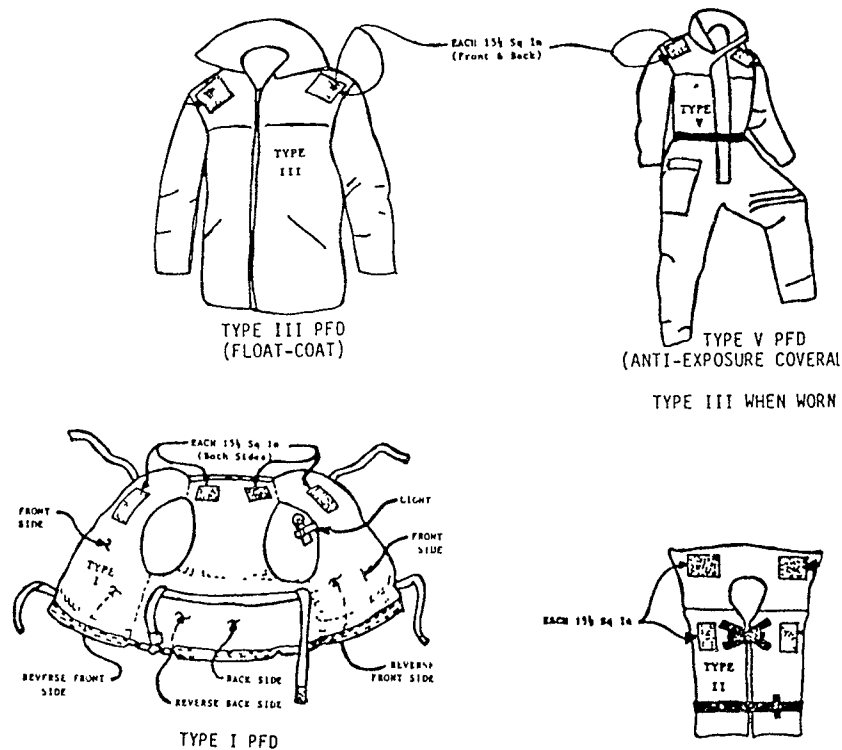
18. PFD LIGHTS FOR UNINSPECTED COMMERCIAL VESSELS (46 CFR 25.25.-13)

- a. Coast Guard approved PFD lights are required on all uninspected commercial vessels that engage in ocean, coast wise, or Great Lakes voyages.
- b. On a vessel operating on the above waters each exposure suit, AND Type I, II, III, or V hybrid carried must have a personal flotation device light that is Coast Guard approved.
- c. Each light required by this section must be securely attached to the front shoulder area of the life preserver, other personal flotation device, or exposure suit.

- d. If a personal flotation device light has a non-replaceable power source, the light must be replaced on or before the expiration date of the power source. If the light has a replaceable power source, the power source must be replaced on or before its expiration date and the light must be replaced when it is no longer serviceable.

19. PFD LIGHTS FOR SMALL PASSENGER VESSELS UNDER 100 GROSS TONS (46 CFR 180.25.-20)

- a. Each life preserver carried on a vessel engaged in ocean, coastwise, or Great Lakes service must have a personal flotation device light that is Coast Guard approved.
- b. Each light required by this section must be securely attached to the front shoulder area of a life preserver.
- c. Vessels with Certificates of Inspection endorsed only for routes that do not extend more than 20 miles from a harbor of safe refuge are not required to comply with this section.



Retro-Reflective Material Placement

Figure 2-10

D. FIRE EXTINGUISHING EQUIPMENT

1. APPROVED TYPES

- a. The Commandant of the Coast Guard accepts **four** types of fire extinguishers for use on vessels. They are:
 - (1) Carbon Dioxide (CO₂).
 - (2) Dry Chemical.
 - (3) Foam.
 - (4) Halon 1211, 1301, or a combination of Halon 1211/1301.
- b. Toxic vaporizing liquid type fire extinguishers, such as those containing carbon tetrachloride or chlorobromomethane, are not acceptable as Coast Guard approved equipment. Many of these bear the name **Pyrene**, which is a trade name. There are also carbon dioxide and dry chemical extinguishers which bear this trade name. You must be careful not to disqualify an extinguisher solely on the basis of this trade name. Check to determine if the extinguisher meets the criteria discussed in this section. Fire extinguishers containing toxic vaporizing liquid have not been approved or accepted as required equipment since 1 January 1962.

2. CLASSIFICATION

- a. Each approved fire extinguisher is classified by a letter and a Roman numeral according to the type of fire it is designed to extinguish and its size. The letter indicates the **TYPE OF FIRE**:
 - A - Fires of ordinary combustible materials.
 - B - Gasoline, oil, grease fires.
 - C - Electrical fires.
- b. Extinguishers approved for motorboats are hand portable, either B-I or B-II, with the following characteristics:

DRY

Coast Guard Classes	FOAM (Gals)	CO(2) (LBS.)	CHEM (LBS.)	HALON (LBS.)
B-I	1.75	4	2	2.5
B-II	2.5	15	10	10

3. MARKINGS

- a. All hand portable fire extinguishers, semiportable fire extinguishing systems and fixed fire extinguishing systems

2.D.3.a. (Continued)

are required to be of a type specifically approved by the Coast Guard. Portable fire extinguishers may be identified as approved equipment by any one of the following methods:

- (1) Manufactured prior to 1 January 1962: Determine acceptability by comparing manufacturer's name and model with COMDTINST M16714.3 series "Equipment List." Some did not contain Coast Guard approval numbers:

(a) CO(2) - 162.005

(b) Foam - 162.006

(c) Dry Chemical - 162.010

- (2) Manufactured between 1 January 1962 and 1 January 1965 labeled:

"MARINE TYPE USCG TYPE _____
SIZE _____"

- (3) Manufactured after 1 January 1965 labeled:

"MARINE TYPE USCG TYPE _____
SIZE _____"
APPROVAL NUMBER 162.028// _____"

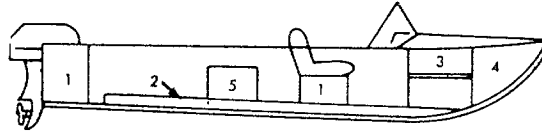
4. REQUIREMENTS

- a. The number of approved fire extinguishers a recreational boat is required to carry depends upon its length and/or construction. Fire extinguishers are required on all recreational boats which have compartments wherein explosive or flammable gases or vapors can be entrapped. If any of the following conditions exist, a fire extinguisher is required. (Figure 2-11)

- (1) Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.
- (2) Double bottoms not sealed to the hull or which are not completely filled with flotation material.
- (3) Closed living spaces.
- (4) Closed stowage compartments in which combustible or flammable materials are stowed.
- (5) Permanently installed fuel tanks. There is no gallon

2.D.4.a. (Continued)

capacity to determine if a fuel tank is portable. Fuel tanks secured in any fashion that will prevent their being moved or whose weight is such that persons on board are unable to move them in case of fire or other emergency are considered permanently installed.



Example of Closed Construction

Figure 2-11

- b. All recreational boats must carry at least the **MINIMUM** number of hand portable fire extinguishers required for its size. The size extinguisher required for the various sizes of recreational boats is listed below.

<u>Length of vessel</u>	<u>Without fixed system in machinery space</u>	<u>With fixed system in machinery space</u>
Less than 16 ft.	1 B-I	None
16 ft. to under 26 ft.	1 B-I	None
26 ft. to under 40 ft.	2 B-I or 1 B-II	1 B-I
40 ft. to 65 ft.	3 B-I or 1 B-II and 1 B-I	2 B-I or 1 B-II

From time to time, you will hear the term "open boat" when referring to fire extinguishers or ventilation requirements. This term means the boat is so constructed that flammable gases or vapors cannot be trapped in ANY area of the boat. Recreational boats less than 26 feet in length, propelled by outboard motors and not carrying passengers for hire, are not required to carry portable fire extinguishers if the construction will not permit the entrapment of explosive or flammable gases or vapors.

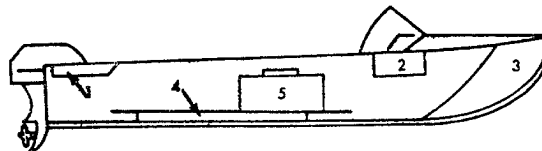
- c. Motor vessels.

- (1) All motor vessels shall carry at least the minimum number of hand portable fire extinguishers set forth in the table below.

2.D.4.c. (Continued)

Gross tonnage	Minimum number of B-II hand portable fire extinguishers	
<u>Over</u>	<u>Not over</u>	<u>Number</u>
	50	1
50	100	2
100	500	3
500	1,000	6
1,000		8

- (2) In addition to the hand portable fire extinguishers required above, the following fire-extinguishing equipment shall be fitted in the machinery space:
- (i) One Type B-II hand portable fire extinguisher shall be carried for each 1,000 H.P. of the main engines or fraction thereof. However, not more than 6 such extinguishers need be carried.
 - (ii) On motor vessels of over 300 gross tons, either one Type B-III semiportable fire-extinguishing system or a fixed fire-extinguishing system shall be fitted in the machinery space.
- d. The following conditions DO NOT, in themselves, require fire extinguishers be carried (See Figure 2-12):
- (1) Bait wells
 - (2) Glove compartments
 - (3) Buoyant flotation material
 - (4) Open slatted flooring
 - (5) Ice chests



Example of Open Construction

Figure 2-12

- e. **There are exceptions** to the fire extinguisher requirements, they are: (1) One B-II type fire extinguisher may be substituted for two B-I type fire extinguisher; and

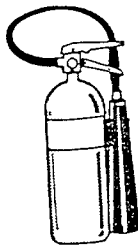
(2) When the boat has an approved fixed extinguishing system installed in the engine space, **one less B-I** extinguisher is required. A fixed extinguishing system is a system installed in the engine space with a temperature operated release in the engine space or a manual release installed outside of the engine space or both. The system shall be of an approved carbon dioxide (CO₂) or Halon type.

5. EXAMINATION OF FIRE EXTINGUISHERS

Fire extinguishers, like personal flotation devices, **must meet three conditions** before they are acceptable to the marine law enforcement officer. The three requirements are: (1) Coast Guard approved, (2) kept in a good and serviceable condition, (3) and on uninspected vessels (**NOT RECREATIONAL BOATS**) so placed as to be readily accessible. Fire extinguishers are not required to be readily accessible on recreational vessels, however, you should advise the recreational boater of the importance, if a fire extinguisher is required.

6. CARBON DIOXIDE (CO₂)

- a. It is important to have two sets of scales for weighing this type of fire extinguisher. 0-50 pounds and 50 to 100 pounds. Weighing is the only method used to determine whether a CO₂ extinguisher is fully charged.



CO₂ Fire Extinguisher

Figure 2-13

- b. Carbon dioxide extinguishers have three basic parts: body, valve and discharge horn assembly. In examining the extinguishers, an intact lead or plastic seal on the releasing mechanism and weight tag showing the extinguisher has been weighed within the last six months shall be taken as prima facie evidence of compliance with the law. In

2.D.6.b. (Continued)

examining the **discharge horn**, see that it and its orifice are free of any obstructions. The **valve assembly** must be free of any corrosion which may affect its operation. If the **cylinder** shows signs of extensive or long term corrosion or damage, especially on the bottom or under the removable name plate, the examiner shall not accept it and shall recommend it be replaced or cleaned and subjected to a hydrostatic pressure test by an authorized service agent. The most important check to make in examining this type of extinguisher is to weigh it. On the label you will find the gross weight and the net weight of the extinguisher. If the **gross weight** is reduced by MORE than 10% of the **net weight**, it is not sufficiently charged and not acceptable.

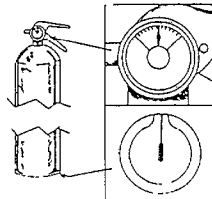
7. DRY CHEMICAL



Dry Chemical Fire Extinguisher

Figure 2-14

- a. Dry chemical stored pressure extinguishers manufactured after 1 June 1965 will not bear Coast Guard approval UNLESS there is a visual pressure indicator. Those formerly approved without a pressure indicators are acceptable, if in good and serviceable condition which means:
 - (1) Inspection record tag on extinguisher shows charge was within required weight limitations (1/4 oz.) within past six months.
- b. Dry Chemical stored pressure extinguishers fitted with visual indicator:
 - (1) Must have a visual gauge on the top or bottom of the extinguisher, or pressure indicating device which when pushed will return to original height, if fully charged.
 - (2) Those fitted with gauges, shall be checked to ensure the indicator is within the operating range.
 - (3) Check for evidence of leaks or damages.



Dry Chemical Fire Extinguisher Gauge

Figure 2-15

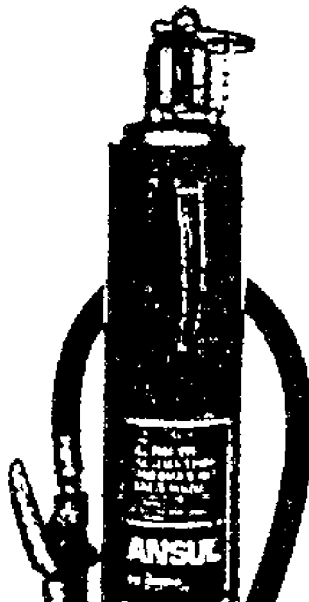


Figure 2-16

- c. Cartridge type dry chemical extinguishers, where the expellent gas is in a separate cylinder from the dry chemical, are not required to be fitted with a pressure gauge, or have a six month inspection tag.
- d. All service work must be performed by an authorized service agent and the results recorded on the inspection record tag. When checking extinguishers with the visual gauge at the top should ensure the plastic crystal covering the indicator needle is not pushed against the needle.
- e. If there is evidence of damage, use or leakage, such as dry chemical powder in the nozzle, or extensive rust or long term corrosion on the extinguisher shell, neck, or seam, it is not acceptable.

2.D.7.f.

- f. The widely accepted belief that the powdered chemical in a dry chemical extinguisher can be loosened by frequent shaking is erroneous. It is acceptable to check for caked powder (powder that has been exposed to moisture) by inverting the extinguisher to see if the powder moves. Caked powder will not "flow", but may fall with a perceptible "thunk" as the extinguisher is inverted. An effective procedure involves holding the fire extinguisher in an inverted position from the position it is normally stored and solidly hitting the base of the extinguisher with the palm of your hand several times. Rock the extinguisher to check that the dry chemical is free in the cylinder.

8. FOAM

- a. Foam extinguishers have four (4) basic parts - the tank, ring top, head stopple and inner container. The following requirements must be met for this device to be acceptable:
 - (1) The outer tank and inner container filled to prescribed levels.
 - (2) The hose properly attached with no obstructions.
 - (3) In examining this device it is permissible and in some cases NECESSARY to remove the top inner container to determine if the device is adequately filled. **Do not lay this device on its side or you may activate it!**
- b. Extinguishers of this type have not been produced for several years, but may still be encountered. They may be retained provided they are in serviceable condition. (See Figure 2-17)



Foam Fire Extinguisher

Figure 2-17

9. HALON

- a. Halon fire extinguishers are fairly new to the field of boating. The proper way to examine this type of extinguisher is listed on the label of the extinguisher.
- b. When Halon Extinguishers (Halon 1301 or 1211) are used on a fire, varying amounts of hydrogen chloride, chlorine, hydrogen bromide, and bromine are formed. These toxic products are so acrid persons are warned of them by the discomfort they cause and, when able to escape the area, will not breath lethal amounts. Other combustion products can be more insidious since they may have no pronounced odor or immediate affect.



Halon Fire Extinguisher

Figure 2-18

10. FIXED SYSTEMS

- a. All Coast Guard approved systems for pleasure craft are required to have a discharge indicator. This is usually an indicator light at the operator's position which will show the operator the system has been discharged. This will not show whether a cylinder leaked down over a period of time, however. For systems with manual activation (pull handle) only, an intact lead or plastic seal on the releasing mechanism, and a tag indicating the cylinder has been weighed in the last 12 months shall be taken as prima facie evidence of compliance with the law. For systems which are automatically actuated by a thermal-activated fusible element (sprinkler head), the absence of the fusible components inside the sprinkler head frame is additional evidence the system has been discharged. If there are indications the system may have been discharged, the operator shall be advised to have the cylinders weighed and, if necessary, refilled at the earliest opportunity.

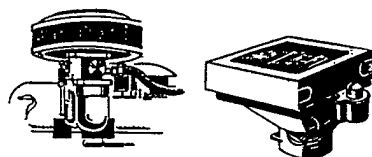
2.D.10.b.

- b. The operator should be aware that for Halon systems with pressure gauges, the gauges alone are not an accurate indication of agent loss. It will still be necessary to weigh these cylinders to determine the amount of Halon left. In view of the various types and sizes of fixed Halon and CO2 systems available, the vessel operator is urged to refer to his Installation Instruction Manual for complete system operating and maintenance instructions. Such a manual is provided by the system manufacturer with each system. If the location of the system cylinder is such that the examiner suspects a portion of it is in contact with a wet or moist surface, the owner should be warned of the possibility of corrosion, and the extreme danger to occupants and the vessel should such a tank rupture.
- c. Halon fixed systems should be examined according to the instructions contained on the cylinder and the system manufacturer's instruction manual.

E. BACKFIRE FLAME CONTROL

1. GENERAL INSTRUCTIONS

- a. After April 25, 1940, every gasoline engine, except an outboard motor, installed in a recreational boat must be equipped with an acceptable means of backfire flame control (flame arrester, fuel and air induction system, etc.). This requirement also applies to auxiliary gasoline generators.
- b. When an engine backfires, flames pass through the air intake on the carburetor. The purpose of a flame arrester is to suppress or "cool" these flames and prevent a fire. Therefore, a flame arrester must be constructed of metal that will absorb the heat from flames that pass through the carburetor. The illustrations in Figure 2-19 show two of the most common types of backfire flame arresters in service today. Both devices consist of a screen with a fine wire mesh. This wire mesh absorbs the heat from the flame of an engine backfire, thereby rendering the flame harmless.



Common Type Flame Arresters

Figure 2-19

2. ACCEPTABLE TYPES

- a. A backfire flame arrester approved by the Commandant and labeled in accordance with 46 CFR 162.041. The backfire flame arrester shall be suitably secured to the air intake with flame tight connections.
- b. An engine air and fuel induction system, which because of the method of introducing fuel into the engine or because of the design of the air intake passages to the cylinders, provides a level of protection against backfire flame equivalent to that provided by an approved backfire flame arrester. Such systems must be tested, approved by the Commandant and labeled in accordance with 46 CFR 162.042. For example, Outboard Marine Corp. and Air Cushion Vehicles, Inc. have approved systems labeled: "U. S. Coast Guard has accepted this Model _____ engine for use without an external backfire flame arrester."

2.E.2.c.

- c. Any metallic attachment to the carburetor which will disperse backfire flames to the atmosphere outside the vessel where they will not endanger the vessel, persons on board, or nearby vessels and structure. Such installations do not require formal approval and labeling, but will be accepted by marine law enforcement officers on the basis of the above, as long as they are maintained in good and serviceable condition. All connections shall be flamtight and firmly secured to withstand vibration, shock, and engine backfire. For example, the fuel/air induction systems on many inboard ski boats are located above the sides of the hull. The marine law enforcement officer shall accept a cowl, scoop, or a multiple installation or either, provided:
- (1) Each cowl/scoop is installed as described in paragraph d.
 - (2) Each cowl or scoop over the transom or vertically so as to direct the backfire flames to the open atmosphere away from the boat and its occupants.
 - (3) There is no provision for carrying passengers behind the forward edge of the engine. (See Figure 2-20)
- d. Any location of the engine air induction system which will disperse backfire flames to the outside atmosphere where they will not endanger the vessel, persons on board, or nearby vessels and structures. Such installations should be accepted as long as they are in good and serviceable condition and all of the following conditions are met:
- (1) The engine is located in the aftermost part of the boat.
 - (2) The engine is equipped with a down draft carburetor.
 - (3) The passenger carrying area does not extend behind the forward edge of the engine.
 - (4) The top of the air induction system is located above the gunwale of the boat, or if the boat is equipped with an engine box or cover, the air induction system extends outside the engine box or cover open to the atmosphere.



Acceptable Scoop and Cowl Designs

Figure 2-20

2.E.3.

3. EXAMINATION

- a. Determine if the flame arrester is CG-approved or accepted.
- b. Ensure the arrester is mounted securely to provide flame tight connections.
- c. Ensure the grid elements have not separated, defeating the arrester's ability to contain the flame from a backfire.
- d. Ensure flame arrester elements are properly maintained. They should be clean and free of foreign matter. Marine law enforcement officers who observe dirty or fouled flame arresters during an inspection should advise the boat operator periodic cleaning of the arrester will help the engine run more efficiently and prevent corrosion. This is not to be construed to mean a dirty flame arrester is unserviceable. There is no evidence the accumulation of oil or other matter renders the device unsafe or unserviceable.
- e. Ensure there is a snug fit between the flame arrester and the carburetor. Previously, the use of gaskets between the arrester and the carburetor was not acceptable. Since in some cases the advantage of using gaskets outweigh the disadvantages, this choice is presently left to the discretion of the manufacturer. However, when gaskets are used, they must comply with the regulations concerning materials, construction and workmanship. In a correct installation, it is not possible to misalign the connection between the flame arrester and the carburetor and the connection is a snug fit without the gasket. Gaskets shall not be used as adaptors for improperly sized flame arresters.

F. VENTILATION

1. Principles of Natural Ventilation.

- a. The typical natural ventilation system on a boat with a fuel tank and/or engine compartment that is not "open to the atmosphere" consists of at least one supply opening and one exhaust opening. Each of these openings is fitted with a cowl, vent or louver located on the exterior surface of the boat. On most boats, two cowls, vents or louvers usually face forward and two of them face aft. Ducting extends from these openings to the lower portion of a compartment requiring natural ventilation. The ducting extends no lower than the normal accumulation of bilge water.
- b. Amendments to the Ventilation Standard have removed the requirement for forward facing supply openings on boats manufactured after 6 March 1987. For years the theory has been that in a typical cabin cruiser air flows over the bow, down the forward facing cowl, vent or louver so fuel vapors are pushed out of the engine and/or fuel tank compartment and through the exhaust opening which faces aft. Testing has shown the opposite may be true. Many openings in compartments act as ventilation openings and the direction in which these openings are facing has less impact on the effectiveness of the natural ventilation system, than does the overall configuration of the boat. This testing has shown the natural air flow is over the stern and towards the bow, even with the boat underway with a headwind.

NATURAL VENTILATION

<u>BOAT BUILT</u>	<u>NATURAL VENTILATION REQUIRED?</u>	<u>APPLICABLE REGULATION</u>
25 April 1940 - 1 August 1978	Yes	46 CFR 25.40(a) and (b)
<u>APPLIES TO</u>	<u>EXCEPTIONS</u>	
All motor boats or motor vessels using gasoline as fuel.	Open Boats	

COMPARTMENTS REQUIRING NATURAL VENTILATION

- (1) Engine Compartments
- (2) Fuel Tank Compartments

2.F.1.b. (Continued)

<u>BOAT BUILT</u>	<u>NATURAL VENTILATION REQUIRED?</u>	<u>APPLICABLE REGULATION</u>
1 August 1978	YES	46 CFR 25.40(a) and (b)
1 August 1980		46 CFR 25.40(e)*

<u>APPLIES TO</u>	<u>EXCEPTIONS</u>
All motor boats or motor vessels using gasoline as fuel.	Open Boats

COMPARTMENTS REQUIRING NATURAL VENTILATION

- (1) Engine Compartments
- (2) Fuel Tank Compartments. Between August 1, 1978 and August 1, 1980 a fuel tank compartment with a permanently installed tank does not have to meet the requirements described below if each electrical component installed ignition protected in accordance with 33 CFR 183.410(a) and the fuel tanks vent to the outside of the boat.*

<u>BOAT BUILD</u>	<u>NATURAL VENTILATION REQUIRED?</u>	<u>APPLICABLE REGULATION</u>
On or after		33 CFR 175.201
1 August 1980	YES	33 CFR 183.620

<u>APPLIES TO</u>	<u>EXCEPTIONS</u>
All boats that have gasoline engines for electrical generation, mechanical power or propulsion.	Compartments open to the atmosphere

COMPARTMENTS REQUIRING NATURAL VENTILATION

- (1) Compartments which contain a permanently installed gasoline engine.
- (2) Each compartments that has openings between it and a compartment that requires ventilation, where the aggregate area of those openings exceeds 2 percent of the area between the compartments. (Exception: An accommodation compartment above a compartment requiring ventilation that is separated from the compartment requiring ventilation by a deck or other structure).
- (3) Each compartment which contains a permanently installed fuel tank (gasoline) and an electrical component that is not ignition protected.
- (4) Each compartment that contains a fuel tank which vents into that compartment.
- (5) Contains a non-metallic fuel tank.

POWERED VENTILATION

POWERED
BOAT BUILT VENTILATION REQUIRED?

25 April 1940 - NO
1 August 1978

1 August 1978 - NO
1 August 1980

POWERED
BOAT BUILT VENTILATION REQUIRED? APPLICABLE REGULATION

On or after
1 August 1980 YES 33 CFR 183.610

<u>APPLIES TO</u>	<u>EXCEPTIONS</u>
All boats that have gasoline engines for electrical generation, mechanical power or propulsion.	See below

COMPARTMENTS REQUIRING POWERED VENTILATION

Each compartment in a boat with a permanently installed gasoline engine with a cranking motor (starter).

EXCEPTIONS

A compartment open to the atmosphere with a permanently installed gasoline engine with a cranking motor (starter).

- c. Natural Ventilation Requirements for boats subject to 46 CFR 25.40(a) and (b): Two ventilator ducts fitted with cowls or their equivalent - at least one intake duct installed to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. At least one exhaust duct installed to extend from open atmosphere to the lower portion of the bilge.

(1) Natural Ventilation System Construction.

- (a) Ventilator ducts of spiral-wound, wire-reinforced plastic should be firmly attached to the boat structure at both ends. Exhaust ducts should not sag so that lower openings are blocked by the flat bilge bottom or liquids in the sump. Ducting should be at least two inches in diameter.
- (b) Acceptable cowls include full cowls, half cowls, clam shells, and louvers with vanes projecting from the surface.

2.F.1.c. (Continued)

- (c) **Equivalents.** Wind actuated rotary exhausters and semi-flush louvers with vanes projecting at least one-half inch into the open atmosphere are considered "equivalent" to cowls on exhaust ducts. A power blower installed in an exhaust duct is considered "equivalent" to having a cowl on the duct. These blowers "should not interfere with the functioning of the ducts as natural ventilators."
- (d) **Maximum Effectiveness.** Ventilation regulations applicable to boats manufactured between April 25, 1940 and August 1, 1980 require cowls to "be located and trimmed for maximum effectiveness and in such a manner to prevent displaced fumes from being recirculated." As mentioned previously in paragraph H.3(a) (2), the natural air flow in a typical cabin cruiser is from aft to forward of the boat. Therefore, when a double intake and exhaust system is used on such vessels, the most important consideration is the placement of ventilation cowls so they are not obstructed by seated passengers, canvas covers or other accessories. Generally, a four foot horizontal separation between intake and exhaust cowls, facing each other on the same plane, will provide sufficient dispersal of fumes to prevent undesirable recirculation. For each three inches the intake is above the exhaust, the horizontal distances may be reduced one foot without undue harm. The distance between two cowls facing each other should never be less than two feet. Similar separations between the fuel fill opening (to the interior of the boat) on the same plane should be encouraged to reduce entry of vapors during fueling. With the exception of obvious and flagrant violations, which must be corrected, the marine law enforcement officer should only discuss location and trim problems with boat owners on an advisory basis.
- (e) **Lower Portion of the Bilge.** Due to the wide variety of hull configurations and interval arrangements, the lower portion of the bilge is somewhat different to define. In a hard chine boat the "lower portion of the bilge" is considered to be below the chine at amidships and in the after parts of the boat. However, under this definition it is important to remember bilge depth will vary with the amount of deadrise. Enforcement personnel must use their own discretion in the application of the exhaust duct arrangement requirements. In all cases the duct should be located so as not to be obstructed by normal accumulation of bilge water. In compartments isolated from the bilges (as are some fuel tank spaces) the "lower portion" is generally considered to be the lower one-third of the space.
- (f) **Open Boat Exception.** According to the definition of "open boats" all engine and fuel tank compartments and connecting compartments must be "open to the atmosphere . . ." The

2.F.1.c (continued)

provision which exempts open boats from the ventilation requirements is based on the premise that air flow over the boat will clear all areas into which vapors may flow. Closure of any space, even by temporary curtains, to the extent the remaining clear opening does not meet the requirements, is not advisable. Curtains are as effective as fixed bulkheads in preventing natural ventilation, unless there is ample space for air flow around them.

d. Natural Ventilation Requirements for boats subject to 33 CFR 183.620:

- (1) A supply opening or duct from the open atmosphere, a ventilated compartment or a compartment open to the atmosphere must be located on the exterior surface of the boat.
- (2) An exhaust opening into a ventilated compartment or to the open atmosphere must originate in the lower third of the compartment.
- (3) Each supply or exhaust opening or duct in a compartment must be above the normal accumulation of bilge water.
- (4) The minimum internal cross sectional area of each supply or exhaust opening or duct must exceed 3.0 square inches.

e. Powered Ventilation Requirements for Boats subject to 33 CFR 183.610:

- (1) A powered ventilation system consisting of an exhaust blower or blowers and duct system.
- (2) Each intake duct for an exhaust blower must be in the lower one-third of the compartment and above the normal level of accumulated bilge water.
- (3) A label located as close as practicable to each ignition switch and in plain view of the boat operator which contains at least the following information:

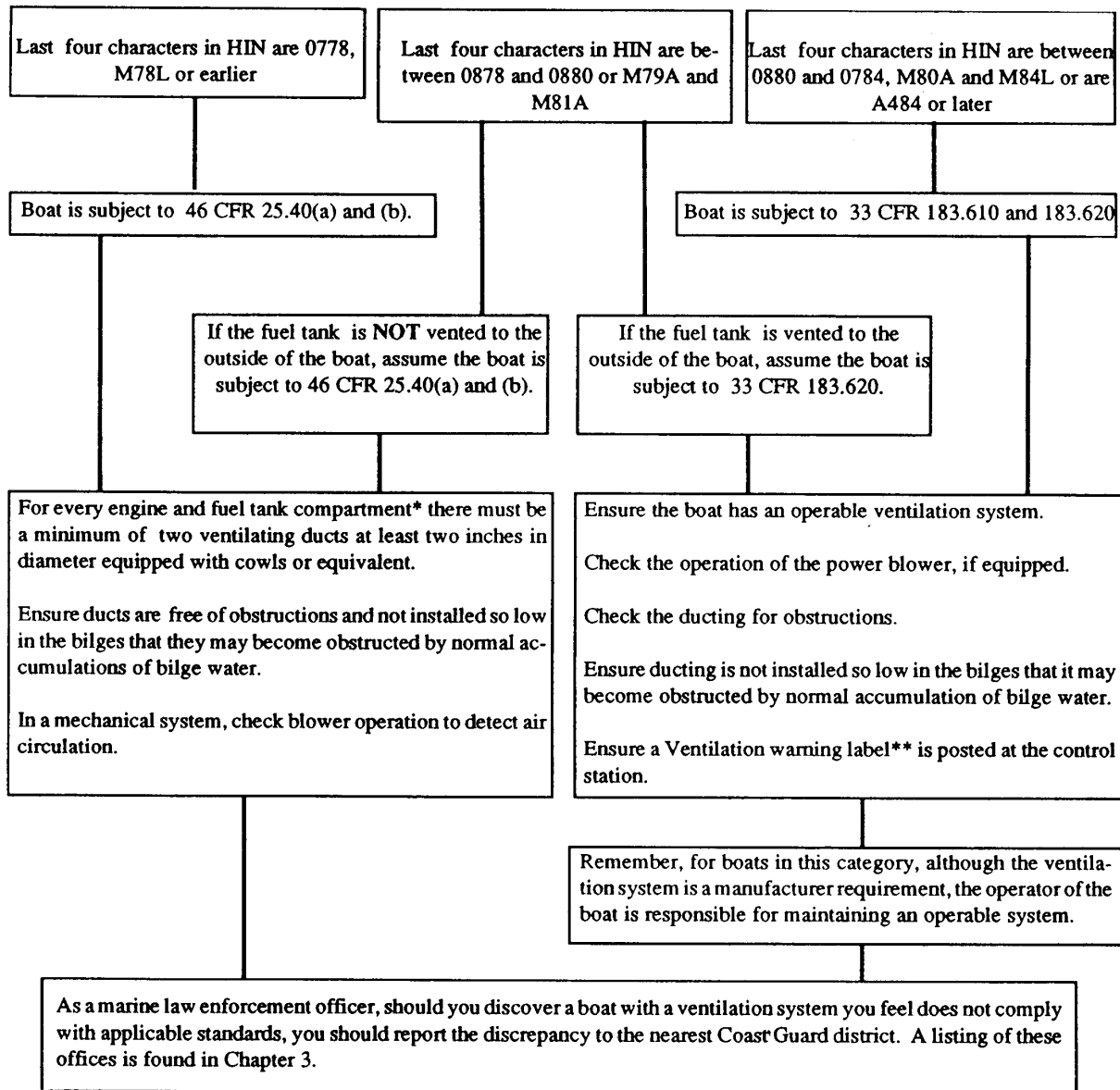
- WARNING -

GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE
OPERATE BLOWER FOR 4 MINUTES AND CHECK ENGINE
COMPARTMENT BILGE FOR GASOLINE VAPORS.

2. INSPECTION

- a. The Hull Identification Number on the boat or certificate of numbers indicates (1) when the boat was manufactured or (2) the standards to which the boat manufacturer certified the boat complies (standards in effect when the boat was built). The following flow chart describes recommended inspection procedures:

2.F.2.a. (Continued)



*If fuel tank and engine compartments are not interconnected, each compartment requires a separate ventilation system.

If the two separate compartments are interconnected by a common bilge and the flow of vapor between them is not restricted, separate ventilation systems are not required.

**** -WARNING-**

GASOLINE VAPORS CAN EXPLODE. BEFORE STARTING ENGINE OPERATE BLOWER FOR 4 MINUTES AND CHECK ENGINE COMPARTMENT BILGE FOR GASOLINE VAPORS.

G. MARINE SANITATION DEVICES (MSDs)

1. REQUIREMENTS

- a. All vessels with an installed operable toilet must have an operable USCG certified marine sanitation device attached to the toilet. Direct discharge toilets are illegal unless the vessel is operating under a waiver granted by the Commandant.

TYPE I DEVICE Flow-through; effluent USCG certified to 1000 fecal coliform/100 ml, no visible floating solids standard.

TYPE II DEVICE Flow-through; effluent USCG certified to 200 fecal coliform/100 ml, 150 ma/l total suspended solids standard.

TYPE III DEVICE USCG certified to no-discharge standard.

- b. Vessels 65 feet in length and under may install a Type I, II or III MSD.
- c. Vessels over 65 feet in length must install a Type II, or III. Type I MSDs are not allowed on "existing" vessels (construction began before 30 January 1975) unless purchased before 30 January 1978 and installed before 30 January 1979. Type I MSDs installed on "new" vessels (built after 30 January 1975) are allowed if installed prior to 30 January 1980.

2. CERTIFICATION

- a. All MSDs certified by the Coast Guard will be tested and will carry a label with the name of the manufacturer and the certification number.

Examples:

159.15/xxxx/xx/I - Type I

159.15/xxxx/xx/II - Type II

159.15/xxxx/xx/III - Type III

- b. MSDs may not always be tested by the Coast Guard prior to certification. Devices certified under (1), (2), or (3) below cannot have a label, even though they are certified.

(1) Holding tanks are certified under a clause in the regulations (33 CFR 159.12a) if they store sewage and flushwater **only**, at ambient air temperature and pressure.

(2) Type III MSDs installed on a vessel prior to 30 January 1975 are certified under a "grandfather" clause in the regulations (33 CFR 159.12(b)).

2.G.2.b. (Continued)

- (3) MSDs manufactured before 30 January 1976 may be certified under a "grandfather" clause in the regulations (33 CFR 159.12(c)) if they can meet the (a) effluent standards, or (b) test standards as conducted by a recognized laboratory, or (c) a Coast Guard field test, or (d) can be shown to be substantially equivalent to a certified device. Devices meeting the effluent standards under this clause need not meet the other testing requirements. A letter of certification issued to the manufacturer or the vessel operator should be onboard the vessel.

3. NO DISCHARGE AREAS

- a. Vessels shall not discharge sewage overboard, even through an operable MSD, in an area designated as no-discharge. A TYPE III installation is not required for a vessel which operates in a no-discharge area. A Type I or II flow-through MSD must be adequately secured while the vessel is in a no-discharge area to prevent any overboard discharge of treated or untreated sewage. Closing the seacock and padlocking, using a non-releasable wire-tie, or removing the seacock handle is sufficient.

4. Y-VALUES

- a. Federal regulations do not specifically prohibit the installation of Y-Values; therefore, Y-Values may be installed on any MSD to provide for direct discharge of sewage when the vessel is outside U.S. waters (more than three miles from shore). The value must be secured in the closed position while operating in U.S. waters. Use of a padlock, heavy tape, non-releasable wire-tie, or the removal of the value handle would be considered adequate securing of the device. The method chosen must be one that presents a physical barrier to the use of the value, accidentally or intentionally, and where surreptitious use could not occur without the owner/operator's knowledge.

5. PORTABLE TOILETS

- a. Portable toilets are not considered installed devices and therefore nor subject to the regulations. If a vessel has an installed direct-discharge toilet, the use of a portable toilet does not bring the vessel into compliance with the MSD regulations. Installed toilets must be hooked into a certified MSD, removed or permanently disconnected. In the latter case the vessel no longer has an installed head and does not come under the regulations. Sewage from portable toilets may not be dumped overboard in U.S. waters.

6. PUMP-OUT FACILITIES

- a. An area declared a no-discharge area by the EPA will have adequate pump-out facilities. It is a requirement that must be met prior to receiving EPA's no discharge designation. In other areas, check with your local marinas and marine dealers. The Coast Guard has no statutory authority to build or require the building of these facilities.

7. WAIVERS

- a. Vessel owners who are unable to comply with the MSD regulations may apply for a waiver by writing to:

Commandant (G-MVI)
U. S. Coast Guard
2100 2nd Street, S.W.
Washington, D. C. 20593
Phone number (202) 267-1464

- b. The Coast Guard may grant a waiver from the requirement to have an MSD, if the owner can show that he is unable to install an MSD due to physical limitations of the vessel. Waivers are granted on a case by case basis. Cost of compliance is not a factor in approving or denying a request.

9. ENFORCEMENT OF MARINE SANITATION DEVICE (MSD) REQUIREMENTS
ABOARD RECREATIONAL AND OTHER UNINSPECTED VESSELS

- a. During routine boardings, the Coast Guard checks for compliance with the pollution prevention regulations, including the requirement for an operable MSD on vessels with an installed marine toilet. The MSD must be operable but need not be used (i.e. may be bypassed) when outside territorial waters (3 mile limit). Any bypass valve must be secured as described in paragraph 4. a., when within territorial waters. Also, Type I or II MSDs (flow thru) must be secured and sewage must be retained aboard when in no-discharge areas. (See Figure 2-21)
- b. 1987 amendments to the Clean Water Act provided more state involvement in the MSD enforcement program. States may define vessels as "houseboats" when the vessel, for a period of time determined by the state, is used primarily as a residence and not as a means of transportation. States may adopt and enforce a statute or regulation with respect to the design, manufacture or installation or use of any MSD on board houseboats, provided the statute or regulation is more stringent than federal standards. Section 312(k) was also amended to permit enforcement of federal MSD rules by the states.

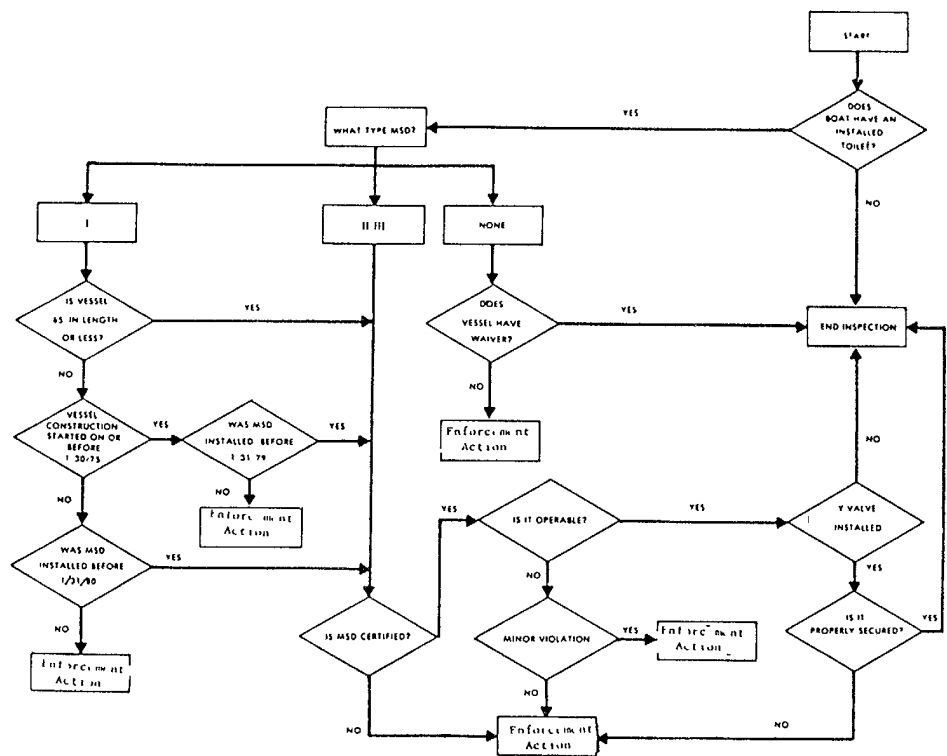


Figure 2-21

2.G.9.b. (Continued)

District CommanderState/Territory of Responsibility

Commander
First Coast Guard District
Coast Guard Building
408 Atlantic Avenue
Boston, MA 02210-2209

Maine
Massachusetts
New Hampshire
Rhode Island
Connecticut

Vermont
New York

Commander
Second Coast Guard District
1430 Olive Street
St. Louis, MO 63103

Arkansas
Colorado
Illinois
Indiana
Iowa
Kansas
Kentucky
Missouri

Nebraska
North Dakota
Oklahoma
South Dakota
Tennessee
West Virginia
Wyoming

Commander
Fifth Coast Guard District
Federal Building
431 Crawford Street
Portsmouth, VA 23705-5004

Maryland
North Carolina
Virginia
District of Columbia
Pennsylvania

New Jersey
Delaware

Commander
Seventh Coast Guard District
Federal Building
51 S.W. 1st Avenue
Miami, FL 33130-1608

Florida
Georgia
South Carolina
Puerto Rico
Virgin Islands

Commander
Eighth Coast Guard District
Hale Boggs Federal Building
500 Camp Street
New Orleans, LA 70130-3396

Alabama
Louisiana
Mississippi
New Mexico
Texas

Commander
Ninth Coast Guard District
1240 East 9th Street
Cleveland, OH 44199-2060

Minnesota
Ohio
Wisconsin
Michigan

Commander
Eleventh Coast Guard District
Union Bank Building
400 OceanGate Blvd.
Long Beach, CA 90822-5399

Arizona
California
Nevada
Utah

Commander
Thirteenth Coast Guard District
Federal Building
915 Second Avenue
Seattle, WA 98174

Idaho
Montana
Oregon
Washington

Commander
Fourteenth Coast Guard District
Prince Kalaniana'ole Federal Bldg.
300 Ala Moana Bldg., 9th Floor
Honolulu, HI 96850-4982

Hawaii
Guam
American Samoa
Northern Marianas

Commander
Seventeenth Coast Guard District
P.O. Box 3-5000
Juneau, AK 99802-1217

Alaska

**Responsible District Commanders
For MSD Enforcement Agreements**

Table 2-2

H. POLLUTION PREVENTION REGULATIONS

1. The Refuse Act of 1899 prohibits throwing, discharging or depositing any refuse matter (including trash, garbage, oil and other liquid pollutants) into the waters of the United States to a distance of 3 miles from the coastline. The act to Prevent Pollution From Ships further restricts the disposal of certain garbage from ships beyond 3 miles. The Clean Water Act prohibits the discharge of oil or hazardous substances in quantities which may be harmful into U.S. navigable waters, the contiguous zone, and waters within 200 miles, in some cases. Boaters must notify the Coast Guard if their vessel or facility discharges oil or hazardous substances into the water.
2. Bilge slops/fuel oil tank ballast water discharges on U.S. non-oceangoing ships. 33 CFR 155.330 states no person may operate a U.S. non-oceangoing ship in navigable waters of the U.S., unless it has the capacity to retain on board all oily mixtures and is equipped to discharge these mixtures to a reception facility.
3. Placard. 33 CFR 155.450 states a ship, (except a ship less than 26 feet), must have a placard, at least 5 by 8 ins., of durable material, in a conspicuous place in each machinery space, or the bilge/ballast pump control station, printed in the language understood by the crew, stating the following:

DISCHARGE OF OIL PROHIBITED

The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste into or upon the navigable waters of the United States or the contiguous zone if such a discharge causes a film or sheen upon or a discoloration of the surface of the water or causes a sludge or emulsion beneath the surface of the water. Violators are subject to a penalty of \$5,000.

4. Draining Of Oil. 33 CFR 155.770 states no person may intentionally drain oil or oily waste from any source into the bilge of any vessel.
5. Reporting of Discharges. Encourage boaters to report discharges to the nearest CG office or call toll-free 1-800-424-8802, give the following information:
 - a. Location
 - b. Source
 - c. Size
 - d. Color
 - e. Substance
 - f. Time observed

I. PLASTIC WASTE AND MARINE POLLUTION PREVENTION

The Act to Prevent Pollution From Ships implements the pollution prevention requirements of Annex V of MARPOL 73/78, **prohibits the disposal of any and all plastic material from any vessel anywhere in the marine environment.** Dunnage, lining and packaging materials which will float may be disposed of beyond 25 miles from the nearest land. Other garbage that will not float may be disposed of beyond 12 miles from land, except garbage which can pass through a 25mm mesh screen (approximately 1 sq. in.) may be disposed of beyond 3 miles. Dishwater is not considered to be garbage within the meaning of annex V when it is liquid residue from the manual or automatic washing of dishes or cooking utensils. These regulations require marinas where recreational vessels pay for dockage or fuel to provide reception facilities to customers.

J. VISUAL DISTRESS SIGNALS

1. A visual distress signal is a device approved by the Commandant under 46 CFR Part 160 or certified by the manufacturer under 46 CFR Parts 160 and 161. The Federal requirements for visual distress signals are located in 33 CFR Part 175.
2. 33 CFR 175.101 Applies to boats on U. S. coastal waters and the high seas beyond the territorial seas for boats owned in the U.S.
3. 33 CFR 175.110 Visual distress signals required.
 - a. No person may use a boat 16 feet or more in length or any boat carrying six or less passengers unless visual distress signals selected from the list in 33 CFR 175.130 or the alternatives in 33 CFR 175.135, in the number required, are on board. Devices suitable for day use and for night use, or for both day and night use, must be carried.
 - b. Between sunset and sunrise, no person may use a boat less than 16 feet in length unless visual distress signals suitable for night use, selected from the list in 33 CFR 175.130 or 175.135, in the number required, are on board.
4. 33 CFR 175.113 Launchers. When a visual distress signal carried to meet the requirements of 33 CFR 175.110 requires a launcher, a launcher approved under 46 CFR 160.028 is required.
5. 33 CFR 175.115 Exceptions. The following persons need not comply with 33 CFR 175.110; however, each must carry on board visual distress signals suitable for night use, selected from the list in 33 CFR 175.130 or 175.135 in the number required, between sunset and sunrise.
 - (a) A person competing in any organized marine parade, regatta, race, or similar event:
 - (b) A person using manually propelled boat; or,
 - (c) A person using a sailboat of completely open construction, not equipped with propulsion machinery, under 26' in length.
6. 33 CFR 175.120 Stowage. No person may use a boat unless the visual distress signals are **readily accessible**.
7. 33 CFR 175.125 Serviceability. No person may use a boat unless each signal is in serviceable condition and the service life, indicated by a date marked on the signal, has not expired.
8. 33 CFR 175.128 Marking. No person may use a boat unless each signal required is legibly marked with the approval number or certification statement as specified in 46 CFR Parts 160 and 161.

9. 33 CFR 175.130 Visual distress signals accepted.
 - a. Any of the following signals, when carried in the number required, meets the requirements of 33 CFR 175.110:
 - (1) An electric distress light meeting the standards of 46 CFR 161.013 meets the night requirement. (Figure 2-23)
 - (2) An orange flag meeting the standards of 46 CFR 160.072. Meets the day requirement only. (See figure 2-24)
 - (3) Pyrotechnics meeting the standard noted in table 2-3.
 - b. Any combination of signal devices selected from the types noted in paragraph (a) (1), (2) and (3) of this section, when carried in the number required, may be used to meet both day and night requirements. Examples - two hand held red flares (160.021), and one parachute red flare (160.024 or 160.036) meets both day and night requirements. Three hand held orange smoke (160.037) with one electric distress light (161.013) meet both day and night requirements.
10. 33 CFR 175.140 Prohibited use. No person in a boat shall display a visual distress signal on waters to which this subpart applies under any circumstances except a situation where assistance is needed because of immediate or potential danger to the persons on board.

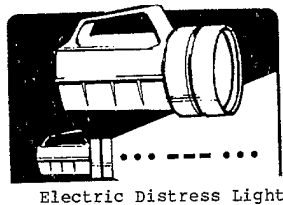


Figure 2-23

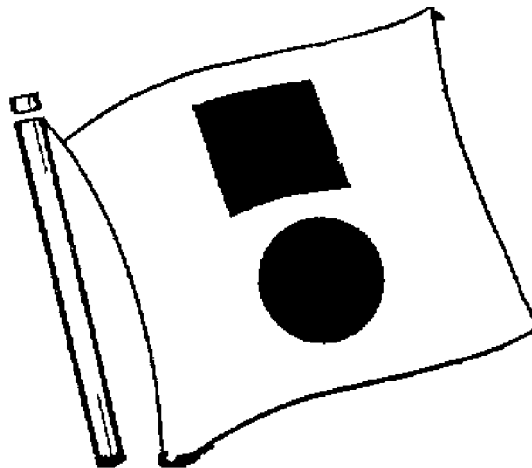


Figure 2-24

2.J.10. (Continued)

Approval number under 46 CFR	Device description	Meets requirement for	Number required
160.021	Hand-Held Red Flare Distress Signal	Day/night	3
160.022	Floating Orange Smoke Distress Signal	Day only	3
160.024	Parachute Red Flare Distress Signal *	Day/night	3
160.036	Hand-Held Rocket-Propelled Parachute Red Flare Distress Signal	Day/night	3
160.037	Hand-Held Orange Smoke Distress Signal	Day only	3
160.057	Floating Orange Smoke Distress Signal	Day only	3
160.066	Distress Signal for Boats, ** Red Aerial Pyrotechnic Flare	Day/night	3
*	These signals require use in combination with a suitable launching device approved under 46 CFR 160.028.		
**	These devices may be either meteor or parachute assisted type. Some of these signals may require use in combination with a suitable launching device approved under 46 CFR 160.028.		

Pyrotechnic Signal Devices

Table 2-3

K. NUMBERING

1. CERTIFICATE OF NUMBER

Section 12301 of Title 46 USC requires all undocumented vessels equipped with machinery propulsion to be numbered in the **state of principal use**. All states and territories except Alaska have approved numbering systems and issue vessel numbers. The Coast Guard issues the number for Alaska. A state numbering system may require the numbering of any vessel subject to the jurisdiction of the state unless prohibited by regulations in Part 173 of 33 CFR. An example of this is the prohibition of numbering a documented vessel. Some states require documented vessels to be registered for tax purposes. The numbering requirements of the states are listed on the following page.

2. GENERAL REQUIREMENTS

- a. The **certificate of number must be pocket size** (approximately 2-1/2" x 3-1/2"), **be aboard whenever the vessel is in operation**, and not valid for more than three years. Only the original certificate or a duplicate, in the case of loss, is acceptable. Reproduced copies of any type are **Not** acceptable. Although the law requires the certificate to be aboard whenever the vessel is in use, in the case of new boats or transfer of ownership, the Coast Guard accepts a temporary certificate issued by the state. The certificate contains the name and address of the owner and some nomenclature such as hull material, length and use, in addition to the number awarded. (See Figure 2-25)
- b. A certificate of number issued to a manufacturer or a dealer to be used on a vessel for test or demonstration purposes may omit certain nomenclature information if the word manufacturer or dealer is plainly marked on the certificate.
- c. Some states issue a temporary certificate valid for a period of 60 days from the date of issue.

3. EXEMPTION

- a. The certificate of numbers for vessels less than 26 feet, leased or rented for non-commercial use, for less than 7 days may be retained on shore by the vessel's owner or his representative at the place where the vessel departs.
- b. A vessel propelled by machinery, must display the number issued and have a copy of the lease or rental agreement onboard. This copy must list at least the vessel number, as it appears on the certificate, the period of time the boat is rented or leased, and must be signed by the owner or his representative and the person leasing or renting the vessel.

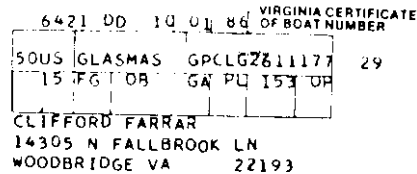
2.K.3.b. (Continued)

2.K.3.b. (Continued)

STATE	STATE PREFIX	RANK 1987	TOTAL BOATS NUMBERED	ADDITIONAL NUMBERING REQUIREMENTS IN ADDITION TO ALL MOTORBOATS
Alabama	AL	18	203,092	Sailboats and rental boats.
Alaska	AK	46	27,763	
Arizona	AZ	30	117,202	All watercraft.
Arkansas	AR	28	144,657	Boats with 10 HP or less used during daylight only are excluded.
<u>California</u>	* CF	2	708,847	Sailboats over 8 feet in length.
Colorado	CL	34	79,640	All sailboats.
Connecticut	CT	33	86,427	Sailboats 19 1/2 feet or more in length.
<u>Delaware</u>	DL	39	43,121	
Dist. of Col.	* DC	53	2,859	All watercraft.
Florida	* FL	4	644,813	
Georgia	GA	13	254,483	Sailboats 12 feet or more in length.
<u>Hawaii</u>	HA	51	14,009	Sailboats over 8 feet in length.
Idaho	ID	35	57,251	
Illinois	* IL	10	295,127	Sailboats over 12 feet in length.
Indiana	* IN	17	206,307	
Iowa	* IA	20	195,673	Inflatables under 7 feet and canoes/kayaks under 13 feet excluded.
Kansas	KA	32	88,365	All sailboats.
Kentucky	KY	29	124,150	
Louisiana	LA	9	300,931	
Maine	ME	31	114,182	
Maryland	* MD	23	160,368	
<u>Massachusetts</u>	MS	19	196,541	
<u>Michigan</u>	* MC	1	746,979	
Minnesota	MN	3	673,503	All watercraft except non-motorized boats 9 feet in length and under, duckboats in duck hunting season and riceboats during harvest season.
<u>Mississippi</u>	MI	27	144,989	
Missouri	* MO	12	258,712	Sailboats over 12 feet in length.
Montana	* MT	42	37,398	
<u>Nebraska</u>	NB	36	56,446	
Nevada	* NV	41	37,162	
New Hampshire	NH	50	15,214	All watercraft.
New Jersey	* NJ	26	150,121	All boats over 12 feet in length.
New Mexico	* NM	48	24,974	Sailboats.
New York	* NY	7	383,868	
North Carolina	NC	15	241,858	
North Dakota	ND	43	36,332	
Ohio	* OH	8	366,289	
Oklahoma	* OK	21	187,043	All watercraft.
Oregon	* OR	25	153,087	Sailboats 12 feet or more in length
Pennsylvania	PA	14	251,154	
Rhode Island	RI	45	28,500 (Estimate)	
South Carolina	* SC	11	268,034	
South Dakota	SD	40	39,257	All vessels over 12 feet.
Tennessee	TN	16	214,646	All sailboats.
Texas	* TX	5	606,370	
Utah	* UT	37	49,583	All sailboats.
Virginia	* VA	22	174,726	
<u>Washington</u>	* WN	24	159,567	
West Virginia	WV	38	44,936	
<u>Wisconsin</u>	WS	6	461,545	Sailboats over 12 feet in length..
Wyoming	WY	49	21,536	
<u>Guam</u>	GU	54	993 (Estimate)	
Puerto Rico	PR	47	25,024	
Virgin Islands	VI	52	3,614	
American Samoa	AS	56	110	
N. Marianas	CM	55	145	

NOTE: States underlined have a different prefix than those listed in the U. S. Postal Service zip code directory. This is important when requesting information on stolen boats from agencies such as the National Crime Information Center.

* Denotes the state requires the boat to be titled.



Certificate of Numbers

Figure 2-25

4. NUMBERING REQUIREMENTS

An awarded number is designated on the certificate of number. This number, required by section 12305 Title 46 USC and by 33 CFR 173.23 and 173.27, displayed on the vessel, consists of letters and numbers. The letters are in the prefix and suffix. The prefix designates the state in which the vessel is registered.

5. DISPLAY OF NUMBER

- a. Numbers are required to be painted on or permanently attached to each side of the forward half of the vessel.
- b. Number must be at least 3 inches in height, block characters and contrast in color to the background. A space or hyphen is required between the letter and number groupings equal to the width of a letter or number other than "I" or "1".
- c. Numbers are displayed to be read from left to right.
- d. Improper display of numbers is the most common violation on recreational vessels. If numbers are displayed properly, except for being a fraction of an inch off in height or in spacing between the letters and numbers, you may accept it. you should advise the owner of the proper display of numbers.

NOTE: A rule of thumb used by the Coast Guard is, if the number can be read at a distance of 100 feet, accept it.

- e. Some states require a validation sticker in addition to the number display. The exact placement of the sticker varies but must be displayed within six inches of the number. Validation stickers are color coded. The color for. 1988, red. 1989, blue. 1990, orange. 1991, green. (See Figure 2-26)
- f. Each number must consist of two capital letters denoting the state of issuing authority.

2.K.4.f. (Continued)

- (1) Not more than four numerals followed by no more than two capitals letters (example: VA 1234 AA); or,
- (2) Not more than three numerals followed by not more than three capital letters (example: VA 123 AA).

NOTE: Vessels may display fewer numerals and letters than described above (example: DC 1 A, NJ 69 T or NJ 712 P).

- (3) A number suffix must not include the letters "I", "O", or "Q," which may be mistaken for numerals.

6. NUMBERING APPLICABILITY

- a. Subsection 173.11 of the Title 33 CFR applies to vessels equipped with propulsion of any type used on waters subject to the jurisdiction of the United States and on high seas beyond the territorial seas for vessels owned in the U. S. except:
 - (1) Foreign vessels temporarily using water subject to United States jurisdiction.
 - (2) Military or public vessels of the United States, except those used for recreational purposes.
 - (3) Vessels owned by state or subdivision thereof, clearly identified, used for government purposes.
 - (4) Ship's lifeboats. A lifeboat is used only in emergency situations, not as a tender. Ferrying passengers from anchorage to shore is not the purpose of a lifeboat.
 - (5) A vessel which has or is required to have a valid marine document as a vessel of the United States.

NOTE: Some states require documented vessels to display a validation sticker. In this case the sticker must be displayed in the same location as if it were a state numbered vessel.

- b. Where the Coast Guard issues numbers the following vessels are exempt from the numbering provisions. (33 CFR 173.13)
 - (1) a vessel used exclusively for racing.
 - (2) a vessel with propulsion of less than 10 HP that:
 - (a) is owned by the owner of a vessel for which a valid certificate of number has been issued; and,
 - (b) displays the number of that numbered vessel followed by the suffix "1" in the manner prescribed by state regulations; and,

2.K.6.b (Continued)

- (c) is used as a tender for **direct transportation between that vessel and the shore and for no other purpose.**

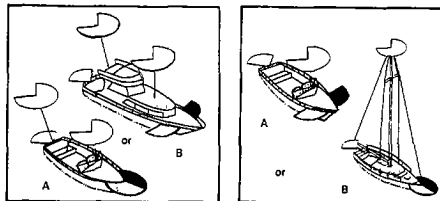


State Validation Sticker

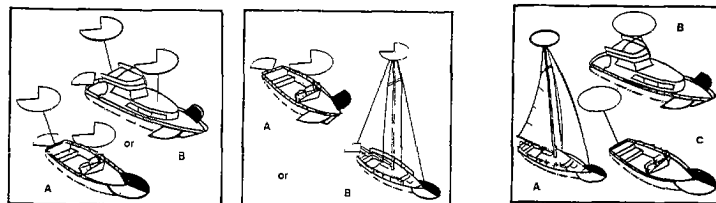
Figure 2-26

L. NAVIGATION LIGHTS

1. Prevention of collisions is the primary goal of the navigation Rules. Navigation lights and day shapes are a major part of these Rules, indicating type, size, and direction of movement of the vessel, and the privileges and responsibilities of each vessel.
2. Recreational vessels are required to display navigation lights when operating between sunset and sunrise and during periods of reduce visibility. Most recreational vessels in the United States operate in waters governed by the Inland Navigation Rules. Recent changes have made the general lighting requirements for both Inland and International Rules the same. The difference are primarily in the options available.
3. Power-Driven Vessels.
 - a. A power-driven vessel less than 20 meters (65.6 ft.), shall exhibit navigation lights as shown in Figure 2-27. If the vessel is less than 12 meters (39.4 ft) in length, it may show the lights shown in either Figure 2-27 or Figure 2-28.



Power Driven Vessel Less Than 20 Meters



Power Driven Vessel Less Than 12 Meters

Figure 2-28

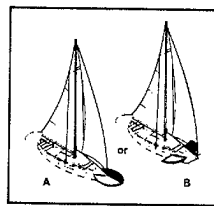
2.L.3.b.

- b. On a vessel less than 12 meters (39.4 ft.) in length, the masthead light must be 1 meter (3.3 ft) higher than the sidelights. If the vessel is 12 meters or more in length and less than 20 meters (65.6 ft.) the masthead light must not be less than 2.5 meters (8.2 ft.) above the gunwale.
- c. A power-driven vessel less than 50 meters (164 ft.) in length may also carry, but is not obligated to, a second masthead light abaft of and higher the forward one.
- d. A power-driven vessel less than 7 meters (23 ft.) in length and whose maximum speed does not exceed 7 knots amy, **in International waters only**, in lieu of the lights prescribed above, exhibit an all-round white light, and shall if practicable, also exhibit sidelights.

4. Sailing Vessels and Vessels Under Oars.

- a. A sailing vessel less than 20 meters (65.6 ft.) in length shall exhibit navigation lights shown in either Figure 2-29 or Figure 2-30. The lights may be combined in a single lantern and carried at the top of the mast as shown in

Figure 2-31.



Sailing Vessel Less Than 20 Meters

Figure 2-29

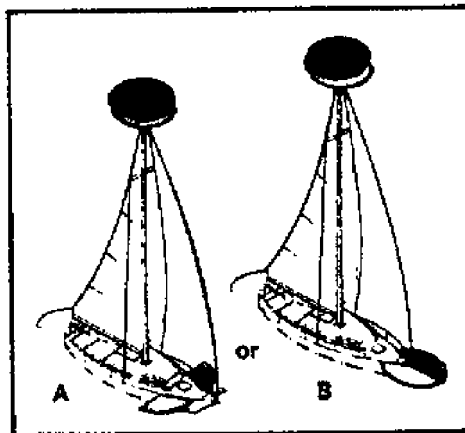
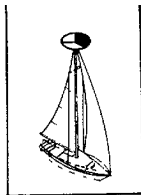


Figure 2-30

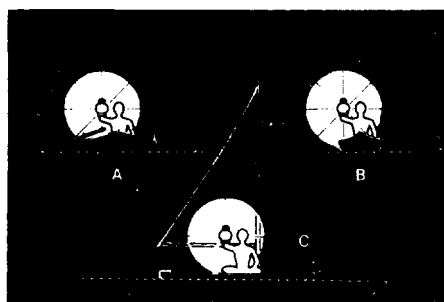
2.L.4.a. (Continued)



Sailing Vessel Less Than 20 Meters

Figure 2-31

- b. A sailing vessel less than 7 meters (23 ft.) in length shall if practicable, exhibit the lights shown in Figure 2-29 or 2-31, if not, shall have ready at hand a white light exhibited in sufficient time to prevent collision (see Figure 2-32)



Sailing Vessel Less Than 7 Meters

Figure 2-32

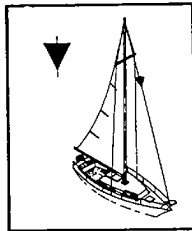
- c. A vessel under oars may display those lights prescribed for sailing vessels shown in Figure 2-29 and Figure 2-31. If not, shall have ready at hand and electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision (see Figure 2-32).
5. Lights Used When Anchored.
- a. Power-driven vessel and sailing vessels at anchor must display anchor lights. Vessels less than 7 meters (23 ft.) in length are not required to display anchor lights unless anchored in or near a narrow channel, fairway or anchorage or where other vessels normally navigate.

2.L.5.b.

- b. An anchor light for a vessel less than 20 meters (65.6 ft) in length is an all-round white light exhibited where it can best be seen and visible for 2 miles. A vessel less than 20 meters in length, in Inland waters, when anchored in a special anchorage area designated by the Secretary of Transportation, is not required to exhibit an anchor light.

6. Dayshapes Used on Recreational Vessels Between Sunrise and Sunset.

- a. A vessel proceeding under sail when also being propelled by machinery, shall exhibit forward, where it can best be seen, a conical shape, apex downwards (See figure 2-33), except that for Inland Rules, a vessel less than 12 meters (39.4 ft.) in length is not required to exhibit the dayshape.
- b. The Navigation Rules require vessels to indicate they are restricted in ability to maneuver, including vessels engaged in diving operations. Vessels too small to display other dayshapes may display a rigid replica of the international code flag "A" not less 1 meter (3.3 ft.) in height. Measures shall be taken to insure its all-round visibility.



Sailing Vessel Also Propelled By Machinery

Figure 2-33

- c. This requirements has no impact on the use of the red and white diver's flag which may be used by choice, or required by state or local law to mark the diver's location under water. The "A" flag is a navigation signal advertising the vessel's restricted maneuverability due to diving operations.
7. For complete information on Navigation Rules, technical details of sound signaling devices and placement of lights, obtain a copy of NAVIGATION RULES: INTERNATIONAL-INLAND (CONMDTINST M16672.2A).

M. SOUND SIGNALING EQUIPMENT

1. Sound signaling equipment requirements are contained in Rule 33 of the Navigation Rules. Inland Rule 38 exempts motorboat built before the enactment of the Rules until 24 December 1989, provided they comply with requirements of 46 USC 4302, formerly the Motorboat Act.
2. COAST GUARD ENFORCEMENT POSITION
For law enforcement purposes the position of the Coast Guard in respect to enforcement is as follows:2.M.2. (Continued)

COLREGS INLAND RULES	
<u>Length of Vessel</u>	<u>Type of Device</u>
Less than 12M	Some means of making an efficient sound signal
12M to less than 20M	Bell Required Whistle audible for 1/2 mile (120 dB)
20M to less than 75M	Bell Required Whistle audible for 1 mile (130 dB)

3. VESSELS LESS THAN 12 METERS

For vessels less than 12M, **efficient sound signal** is defined as a device that can produce a 4 to 6 second blast. A police whistle or equivalent is considered acceptable for enforcement purposes by the Coast Guard. **Vessels less than 12 meters, are not required to carry sound signaling equipment**, however, this does not negate the requirement for such vessels to sound the appropriate signals as required by the Navigation Rules. Rule 33 (b) states a vessel less than 12 meters in length is not obliged to carry signaling appliances but if not, shall be provided with some means of making an efficient sound signal.

4. VESSELS 12 METER TO 20 METERS

- a. A vessel of 12 meters to 20 meters in length shall be provided with a whistle and a bell. The whistle and bell must comply with specifications in Annex III to these Regulations. An electric powered device, or a compressed gas (freon) horn are examples of those considered acceptable. A **police whistle or equivalent** is not considered acceptable on these vessels.

- b. The bell may be **replaced by equipment having the same respective sound characteristics**, provided manual sounding of the prescribed required signals is always be possible. A bell or other device must produce a sound pressure level not less than 110 dB at 1 meter.

5. CONSTRUCTION

Bells shall be made of corrosion-resistant material and designed to give a clear tone. The diameter of the mouth of the bell shall not be less than 200 mm for vessels 12 to 20 meters, or less than 300 mm for vessels more than 20 meters in length. The mass of the striker shall not less than 3 percent of the mass of the bell. The striker shall be capable of manual operation. Bells are not required to be permanently mounted.

N. BOAT EXAMINATION TECHNIQUES

1. INTRODUCTION

The majority of boats examined each year are recreational vessels. The people aboard are, for the most part, relaxing and temporarily escaping from their daily responsibilities. Consequently, they don't want to be bothered with a safety examination. Some of the boating public consider a safety examination an inconvenience and an infringement of personal rights. You must make these boaters feel the examination is useful and for their safety. With this thought in mind, you should examine all vessels thoroughly and with a minimum of delay.

2. EXAMINATION PROCEDURES

a. Hail the vessel in a clear manner. Examples follow:

- (1) **Radio.** Usually contact can be made on channel 16, VHF-FM, if the vessel is equipped with a radio. After initial contact, shift to a working frequency.
- (2) **Stop Sign.** A sign made up as a street stop sign or a lettered placard with the word "stop." For use, simply hold so the boat you want to stop can see it clearly.
- (3) **Loud Hailer.** This is one of the more commonly used devices in hailing vessels. The use of this device usually eliminates any misunderstanding by the boater.
- (4) **Hand Horn or Police Whistle.** This is another common device used to hail a vessel.
- (5) **Blue Flashing Light.** Visible in daylight or dark and is accepted for use in marine law enforcement.
- (6) **Siren or Ship's Whistle.** These are definite attention getters, but should be used as a last resort. They may embarrass the boater and should be used with discretion.

b. After stopping the vessel, explain your intentions and issue directions for the vessel to maneuver to allow the boarding.

3. APPROACH

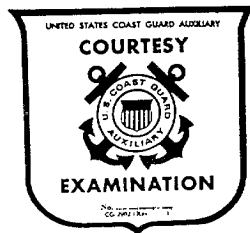
As you approach to within 100 feet of the vessel, check the number (name and hailing port if documented) for proper display. Record this information to check against the vessel's registration or document. After sunset, check for proper display of navigation lights. As you approach direct the vessel to maneuver as necessary. Ensure sufficient fenders are out and personnel are prepared for the boarding.

4. VESSELS ALONGSIDE

- a. After the vessel is alongside, determine the operator, and explain your purpose for stopping the vessel. A coast Guard boarding officer DOES NOT ASK PERMISSION TO BOARD OR EXAMINE A VESSEL, State officers should follow these guidelines. Asking permission allows the operator to decline and places the officer at an immediate disadvantage.
- b. Once aboard the vessel, make the following statement: "I am (rank) _____, Marine Safety Officer, State of _____ . I am going to examine your vessel for compliance with all applicable State laws and regulations." You should identify any other members of your boarding team at this time.
- c. Ask the operator for the certificate of numbers of document, and some other means of personal identification. This will provide required information to complete the identification section of the State boarding report. Compare the name or number that you recorded on approach with the information on the document or certificate. Remember, the vessel will have either a certificate or document, **NOT BOTH**.
- d. If the vessel has recently been examined, supported by evidence (Auxiliary CME decal, state boarding notice, recent Coast Guard Report of Boarding (CG-4100), the examination **may** be discontinued unless a violation is suspected or observed, or the vessel was stopped because of unsafe operation. This policy varies by department and by situation. Use departmental procedure and act accordingly.
- e. Upon completion of the identification section of the report determine the equipment required for the size of the vessel. Begin examination of the equipment one item at a time, i.e., examine all the PFDs, fire extinguishers and so on. Examine the equipment to ensure, serviceability, CG approval, required number on board and in the case of PFDs, that they are readily accessible or immediately available.
- f. After completing the boarding any violations should be explained. You should have copies of boating safety publications for distribution, to show the boater the applicable section as you explain the violation.
- g. If there are no violations, give the operator a decal, if your department uses them, and offer congratulations in a manner that the operator can take pride in complying with the laws and operating his vessel in a safe manner.

5. PREVIOUS EXAMINATION

- a. State agencies, the U.S. Coast Guard and Coast Guard Auxiliary, perform vessel examinations. Each organization issues a certificate or decal as proof of compliance with the law at the time of the boarding. The CG Auxiliary issues a Courtesy Marine Examination (CME) decal to be placed on the windshield of the vessel. See Figure 2-34. The color of the decal changes each calendar year.
- b. If you recognize the CME decal or any other decals or certificates, and have not observed the vessel operating in an unsafe manner, you may accept this as evidence the vessel complies with the law. Some states have different policies concerning the acceptance of decals. Regardless of policy, these decals should only be accepted if there are no violations observed and the vessel is being operating safely.



Example of CME Decal

Figure 2-34

6. SUGGESTED BOARDING BAG CONTENTS

- a. Waterproof flashlight.
- b. 6" slip-joint pliers.
- c. 50' tape measure.
- d. Portable scales - 0-50 pounds and 0-100 pounds.
- e. 8" crescent wrench.
- f. Inspection mirror.
- g. Boating Safety Manual (State Edition).
- h. Equipment List.
- i. State forms, boating safety literature.

A. INTRODUCTION

1. This chapter contains information concerning administrative regulations and safety standards applicable to manufacturers and identifies certain elements the marine law enforcement officer may examine for compliance. Section 4307 of Title 46 USC authorizes the Coast Guard to require manufacturers of boats and associated equipment to recall, inspect, and repair products which fail to comply with applicable Federal safety standards or regulations, or which contain a defect which creates a substantial risk of personal injury to the public.
2. The enforcement of boating standards and the determination of whether or not a substantial risk defect exists; rests with Marine Safety/Marine Inspection Offices (MSO/MIO) located throughout the country. Observed violations should be reported to the nearest Coast Guard district. A listing of these offices is included at the end of this chapter.

B. LEGAL AUTHORITY

1. Title 46 USC Section 4302 authorizes the Coast Guard to issue Federal safety standards for boats and associated equipment and require the display of labels, plates, etc. for the purpose of evidencing compliance with Federal safety standards.
2. Title 46 Section 4310 enables the Coast Guard to require manufacturers of boats and associated equipment to notify owners and to correct, at their sole expense, any product which fails to comply with applicable safety standards, or which contains a defect which creates a substantial risk of personal injury.

C. ADMINISTRATIVE REGULATIONS (33 CFR 181)

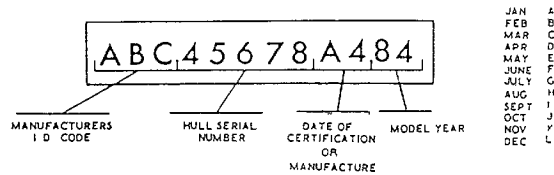
1. HULL IDENTIFICATION NUMBER (HIN)

- a. After 1 August 1984, each boat manufactured or imported must bear two identical HINs. See Figure 3-1.

NOTE: Boats built between 1 November 1972 and 31 July 1984 are required to display a single HIN. See Figure 3-2 or 3-3.

- b. Each HIN must consist of 12 characters, uninterrupted by slashes, hyphens, or spaces, as follows:
 - (1) The first three characters are a Manufacturer Identification Code, assigned by the Coast Guard.
 - (2) Characters four through eight are serial numbers assigned by the manufacturer in letters of the English alphabet, or Arabic numerals, or both. The letters I, O, and Q may not be used.

3.C.1.b. (Continued)



HIN Format Required Since 1 August 1984

Figure 3-1

- (3) Characters nine and ten indicate the month and year of certification when a date of certification is required. In all other cases, characters nine and ten indicate the date of manufacture. The date indicated can be no earlier than the date construction or assembly began and no later than the date the boat leaves the place of manufacture or assembly or is imported into the united states for the purposes of sale. Character nine is indicated using letters of the English alphabet. The first month of the year, January, must be designated by the letter "A", the second month, February, by the letter "B", and so on until the last month of the year, December. Character ten is the last digit of the year of manufacture or certification and must be an Arabic numeral.
 - (4) Character eleven and twelve indicate the model year using Arabic numbers for the last two numbers of the model year such as "82" for 1982 and "83" for 1983.
 - (5) The characters of each HIN must be no less than one-fourth of an inch high.
- c. Two identical HINs are required on each boat hull.
- (1) The primary HIN must be affixed:
 - (a) On boat with transoms, to the starboard outboard side within two inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest.
 - (b) On boats without transoms or boats on which it would be impractical to use the transom, to be starboard outboard side, aft, within one foot of the stern and within two inches of the top of the hull side, gunwale or hull/deck joint, whichever is lowest.
 - (c) On catamarans and pontoon boats which have readily replaceable hulls, to the aft crossbeam within one foot of the starboard hull attachment.

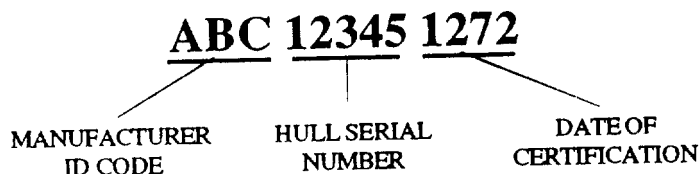
3.C.1.c. (Continued)

- (d) If a HIN would be obscured by rails or other accessories, it must be affixed as near as possible to the location specified in para. (a) of this section.
- (2) Duplicate HINs must be affixed in a hidden location on the interior of the boat, under a fitting or item or hardware.
- (3) Each HIN must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some scarring of or damage to the surrounding hull area. A HIN must not be attached to parts of the boat that are removable.
- (4) No person may assign the same HIN to more than one boat.
- d. If additional information is displayed on the boat with two inches of the HIN, that information must be **separated from the HIN** by means of borders or must be on a separate label so that it will not be interpreted as part of the HIN.
- e. A manufacturer required to affix HINS must request a manufacturer identification code in writing from the Commandant, U. S. Coast Guard. The request must indicate the manufacturer's name, U. S. address and the general types and lengths of boats that will be manufactured.
- f. For boats manufactured outside the jurisdiction of the United States, the U. S. importer must obtain a manufacturer identification code. The request must indicate the importer's name and U. S. address, a list of the manufacturers, their address, and the general types and sizes of boat to be imported. If a nation has a HIN system which has been accepted by the U. S. Coast Guard for the purpose of importing boats, it may be used. Canada is currently the only nation with an acceptable system. Canadian manufacturers are normally assigned a manufacturer identification code in which the letter "Q" or "Z" is the first character.
- g. No person may remove or alter a hull identification number unless authorized by the Commandant, U. S. Coast Guard.
- h. No manufacturer or importer may sell or transfer a manufacturer identification code or use a manufacturer identification code that has been assigned to another.
- i. A manufacturer or importer who changes the business name or address must advise the Commander, U. S. Coast Guard, of the change in writing.

3.C.1.j.

j. The hull of the boat should be examined to determine if it contains a primary HIN consisting of 12 characters as follows:

- (1) Effective 1 August 1984 all boat must use the Hull Identification number format shown in Figure 3-1.
- (2) Boat manufactured between 1 November 1972 and 31 July 1984 were required to use a HIN such as those shown in Figures 3-2 or 3-3. In Figure 3-3, the "M", character 9, indicates the optional method for displaying the date of certification. Characters 10 and 11 indicate the model year. Character 12 indicates the month of the model year. Under this method the model year begins in August.
- (3) The HIN is an administrative standard and discrepancies should be reported to the Coast Guard.



HIN Format Required Prior to 1 August 1984.

Figure 3-2

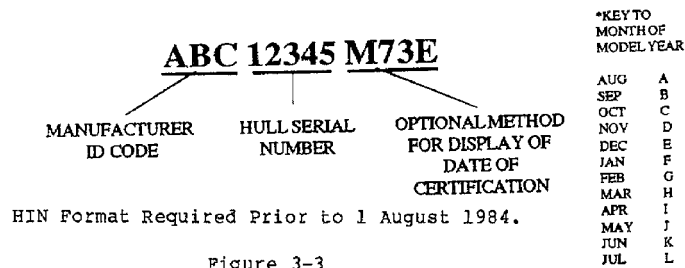


Figure 3-3

k. States assign HINs to homemade boats, boats built before 1972 and some others. If a State does not issue HINs where required, the Coast Guard does. The first three characters in a hull identification number assigned by a State or the Coast Guard are the State prefix followed by the letter "Z" For example, a HIN issued by the State of Florida is FLZ12345L586. State abbreviations are listed in Chapter 2.

2. MANUFACTURER CERTIFICATION OF COMPLIANCE

a. Manufacturer of boats to which safety standards in 33 CFR part 183 apply must affix a certification label. Complete information on the certification regulations are in 33 CFR

3.C.2.a. (Continued)

part 181, Subpart B. The following is a summary of Coast Guard safety standards and the boats to which they apply:

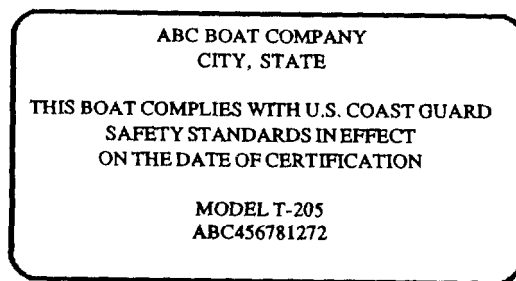
<u>Standards</u>	<u>Apply to</u>
Display of Capacity Information	Monohull boats less than 20 feet
Safe Loading	in length except sailboats, canoes,
Safe Powering (outboards only)	kayaks and inflatables manufactured after 1 NOV 1972.
Basic Flotation	Monohull boats less than 20 feet in length except sailboats, canoes, kayaks, inflatables, submersibles, surface effect vessels, and amphibious vehicles manufactured after 31 July 1973.
Level Flotation	Outboard powered monohull boats less than 20 feet in length except sailboats, canoes, kayaks, inflatables, submersibles, surface effect vessels, and amphibious vehicles manufactured after 31 July 1978.
Electrical Systems	Boats that have gasoline engines
Fuel Systems	for electrical generation, mechanical power or propulsion except outboards, manufactured after 31 July 1977.
Ventilation	All gasoline powered boats including most outboards manufactured after 31 July 1979.

Table 3-1

- b. Each label must contain one of the following statements:
 - (1) "This Boat Complies With u.s. Coast Guard Safety Standards In Effect on the Date of certification"; or,
 - (2) "This Boat Complies With u. s. Coast Guard Safety Standards In Effect on (actual date)."
- c. Each certification label must also contain the name and address of the manufacturer, importer or private label merchandiser who certifies the boat or associated equipment.
- d. The label characters must be no less than one-eighth of an inch in height and must contrast with the basic color of the label, except the date of certification may be permanently stamped, engraved, or embossed on the label.

3.C.2.e.

- e. There is no requirement for the location of the certification label. It may be displayed anywhere on the boat. However , if the certification label is combined with the capacity label, as is usually the case , it must be displayed where it can be seen when the operator is getting the boat underway.
- f. Only boat subject to a standard are required or allowed to display a certification label.



Example of Certification Label

Figure 3-4

D. SAFETY STANDARDS

1. DISPLAY OF CAPACITY INFORMATION (33 CFR 183, SUBPART B)

- a. Manufacturers of boats subject to the Safe Loading and Safe powering Standards in Subparts C and D of Part 183 must affix a capacity label. The purpose of this standard is to provide boaters with basic loading and powering information. "Capacity Label" used throughout this chapter refers only to the required U.S. Coast Guard capacity label.
- b. Depending upon when it was built, a boat will bear one of two different styles of capacity label:
 - (1) Boats built after 31 July 1980 display a label with the heading "U. S. Coast Guard Maximum Capacity" similar to the one in Figure 3-5.

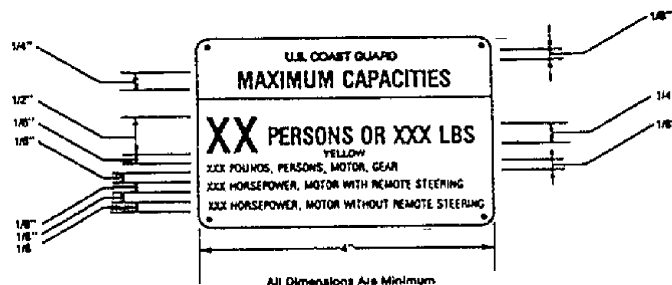


Figure 3-5

3.C.2.b. (Continued)

- (2) Boats built after 31 October 1972, but before 1 August 1980 bear the heading, "U. S. Coast Guard Capacity Information" and do not list the Persons Capacity in terms of the number of persons in addition to the number of pounds. See Figure 3-6.

U. S. COAST GUARD CAPACITY INFORMATION	
MAXIMUM HORSEPOWER -----	<input type="text"/>
MAXIMUM PERSONS CAPACITY (POUNDS) -----	<input type="text"/>
MAXIMUM WEIGHT CAPACITY (PERSONS -----	<input type="text"/>
MOTOR AND GEAR)	

Example of Capacity Plate

Figure 3-6

- (3) Boats built after 31 July 1980 will bear capacity information in the following formats:
For outboard boats:

U. S. COAST GUARD MAXIMUM CAPACITIES
XX PERSONS OR XXX POUNDS
XXX POUNDS, PERSONS, MOTOR, GEAR
XXX HORSEPOWER, MOTOR
or,

U. S. COAST GUARD MAXIMUM CAPACITIES
XX PERSONS OR XXX POUNDS
XXX POUNDS, PERSONS, MOTOR, GEAR
XXX HORSEPOWER, MOTOR WITH REMOTE STEERING
XXX HORSEPOWER, MOTOR WITHOUT REMOTE STEERING
For inboard boats and inboard-outdrive boats:

U. S. COAST GUARD MAXIMUM CAPACITIES
XX PERSONS OR XXX POUNDS
XXX POUNDS, PERSONS, GEAR
For boats rated for manual propulsion:

U. S. COAST GUARD MAXIMUM CAPACITIES
XX PERSONS OR XXX POUNDS
XXX POUNDS, PERSONS, GEAR

3.D.1.b. (Continued)

- (4) Boats built after 31 October 1972, but before 1 August 1980 bear capacity information in the following formats:

For outboard boats:

U. S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER	XXX
MAXIMUM PERSONS CAPACITY (POUNDS)	XXX
MAXIMUM WEIGHT CAPACITY (POUNDS)	XXX

(PERSONS, MOTOR AND GEAR)

or,

U. S. COAST GUARD CAPACITY INFORMATION

MAXIMUM HORSEPOWER WITH REMOTE STEERING	XXX
WITHOUT REMOTE STEERING	XXX
MAXIMUM PERSONS CAPACITY (POUNDS)	XXX
MAXIMUM WEIGHT CAPACITY (POUNDS)	XXX
(PERSONS, MOTOR, AND GEAR)	

For inboard boats, inboard-outdrive boats:

U. S. COAST GUARD CAPACITY INFORMATION

MAXIMUM PERSONS CAPACITY (POUNDS)	XXX
MAXIMUM WEIGHT CAPACITY (PERSONS AND GEAR) (POUNDS)	XXX

For boats rated for manual propulsion:

U. S. COAST GUARD CAPACITY INFORMATION
THIS BOAT RATED FOR MANUAL PROPULSION

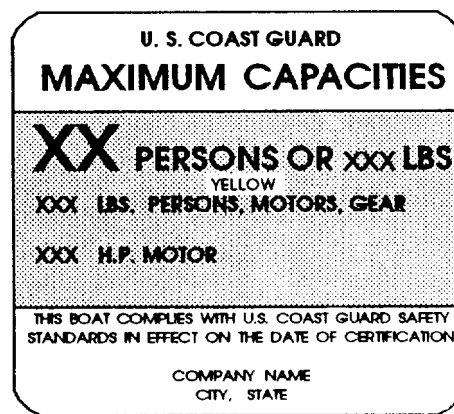
MAXIMUM PERSONS CAPACITY (POUNDS)	XXX
MAXIMUM WEIGHT CAPACITY (POUNDS)	XXX
(PERSONS, AND GEAR)	

- c. Capacity labels must be affixed to be clearly visible to the operator when boarding the boat or getting the boat underway.
- d. Manufacturers of boats not subject to Safe Loading or Safe powering standards may display capacity information, provided the label is not identified as "U. S. Coast Guard Capacity Information," and a proper distinction made for capacity information which is required by regulation and that which is displayed voluntarily by the manufacturer.
- e. Boats with exemptions from standards are usually required to display a warning label or modified capacity label as a provision. See Figure 3-7.

"THIS BOAT COMPLIES WITH U. S. COAST GUARD SAFETY STANDARDS IN EFFECT ON (insert date of certification or the words 'THE DATE OF CERTIFICATION') WITH THE EXCEPTION OF THE SAFE POWERING STANDARD AUTHORIZED BY GRANT OF EXEMPTION (CGB 84-049). THE WEIGHT OF AN 18 HP OUTBOARD MOTOR WAS USED TO COMPUTE PERSONS CAPACITY AND THE AMOUNT OF FLOTATION MATERIAL INSTALLED."

Figure 3-7

- f. The provisions of this particular exemption require the horsepower on the capacity label be left blank.
- g. Manufacturers may, at their option, combine both the capacity and certification label into a single display. This combined display shall meet the following guidelines, (See Figure 3-8):



Capacity/Certification Label Boats Manufactured After 31 July 1980

Figure 3-8

- (1) The capacity information must clearly be the most prominent and obvious information on the plate by virtue of larger lettering, or bolder type, or contrasting color, etc.
 - (2) The capacity information must be separated by a prominent line or border from all other information on the label.
 - (3) Capacity information required on boats built after 31 July 1980 must be displayed within a yellow area on the label.
 - (4) The entire combined label must be mounted and clearly visible to the operator when getting the boat underway.
- h. Examine each boat subject to Safe Loading or Safe Powering standards for a permanently display capacity plate which is legible and clearly visible to the operator when getting the boat underway.

3.D.2.

2. SAFE LOADING (33 CFR 183, SUBPART C)

- a. This standard determines appropriate values of maximum weight and persons capacity for display on the capacity information label.
- b. This standard applies to monohull o/b powered boats less than 20 feet in length, except sailboats, canoes, kayaks, and inflatables, construction of which began after 31 October 1972.
- c. Ensure Maximum Horsepower is display on Capacity Labels of o/b boats less than 20 feet in length.

4. FLOTATION (33 CFR 183, SUBPARTS F, G, AND H)

- a. This regulation requires enough flotation in a boat to float the boat, machinery, gear and the number of persons indicated on the capacity plate when the boat is filled with water.
- b. This standard applies to monohull boats the construction or assembly of which began after 31 July 1973, less than 20 feet in length, except sailboats, canoes, kayaks, inflatables, submersibles, surface effect vessels, and amphibious vehicles.
- c. No examination is performed regarding this standard.

5. ELECTRICAL AND FUEL SYSTEMS (33 CFR 183 SUBPART I & J)

- a. The purpose of this regulation is to prevent fires and explosions aboard gasoline powered pleasure boats by minimizing the possibility of sparks from electrical systems and fuel or vapor leakage from gasoline fuel system.
- b. The standard applies to all boats with gasoline engines for electrical/ mechanical power or propulsion, except o/b engines, construction or assembly begun after 1 August 1977.
- c. No examination is performed regarding this standard.

6. VENTILATION (33 CFR 183 SUBPART K)

- a. The purpose of this standard is to prevent the accumulation of fuel vapors which cause fires and explosions aboard gasoline powered pleasure boats.
- b. Applies to all boats with gasoline engines with electrical/mechanical propulsion, construction or assembly begun after 31 July 1980. It is a manufacturer requirement but the operator is required to keep maintain the system.
- c. Examine these boats in accordance with the guidelines contained Chapter 2, section G.2. of this manual.

3.D.6.c. (Continued)

COAST GUARD DISTRICT BOATING TELEPHONE NUMBERS

COMMANDER (b)
First Coast Guard District
408 Atlantic Avenue
Boston, MA 02210-2209
Phone: (617) 223-8310

COMMANDER (b)
Second Coast Guard District
1430 Olive Street
St. Louis, Missouri 63103-2378
Phone: (314) 425-5977

COMMANDER (b)
Fifth Coast Guard District
Federal Building
431 Crawford Street
Portsmouth, Virginia 23705-5004
Phone: (804) 398-6202

COMMANDER (b)
Seventh Coast Guard District
Federal Building
51 S.W. First Avenue
Miami, Florida 33130-1608
Phone: (305) 350-4707

COMMANDER (b)
Eighth Coast Guard District
Hale Boggs Federal Bldg.
500 Camp Street
New Orleans, Louisiana 70130-3396
Phone: (504) 589-2972

COMMANDER (b)
Ninth Coast Guard District
1240 East 9th Street
Cleveland, Ohio 44199-2060
Phone: (216) 522-3995

COMMANDER (b)
Eleventh Coast Guard District
Union Bank Building
400 Oceagate
Long Beach, California 90822-5399
Phone: (213) 590-2217

COMMANDER (b)
Thirteenth Coast Guard District
Jackson Federal Building
915 Second Avenue
Seattle, Washington 98174-1067
Phone: (206) 442-7355

COMMANDER (b)
Fourteenth Coast Guard District
Prince Kalaniana'ole Federal Bldg.
300 Ala Moana Boulevard, 9th Floor
Honolulu, Hawaii 96850-4982
Phone: (808) 541-2087

COMMANDER (b)
Seventeenth Coast Guard District
P.O. BOX 3-5000
Juneau, AK 99802-1217
Phone: (907) 586-7467

CHAPTER 4: MARINE EVENTS

A. INTRODUCTION

The laws governing marine events (regattas and marine parades) are contained in sections 1233 through 1236 of Title 33 U.S.C. These events must be approved by the Coast Guard or appropriate state authority when a Coast Guard-State Agreement exists. These regulations provide effective control over events conducted on the navigable waters of the United States and ensure safety of life. This chapter will provide a working knowledge of these functions.

B. REGULATIONS FOR MARINE EVENTS

1. The Commandant of the Coast Guard is authorized and empowered to issue regulations, not contrary to law, to promote the safety of life on navigable waters during regattas or marine parades.
2. The Commandant may detail any Coast Guard vessel and make use of any private vessel to enforce these regulations. Upon the Commandant's request, the head of any other department may enforce the regulations issued under sections 1233 and 1235 of Title 33 U.S.C. The President may transfer this authority to the head of another department for any special occasion.

C. COAST GUARD-STATE AGREEMENTS

The USCG district commander may enter into an agreement with State authorities permitting them to regulate certain classes of marine events. All such agreements will reserve the rights of the district commander to regulate a particular event when it is considered to be in the public interest.

D. SUBMISSION OF APPLICATIONS

1. An individual or organization planning to hold a marine event which, by its nature, circumstances or location, introduces extra or unusual hazards to the safety of life on the navigable waters of the United States, must submit an application to the district commander having control of the area where the event would be held. Examples of these conditions include but are not limited to: an inherently hazardous competition, any anticipated obstruction of a navigable channel, nonparticipating watercraft in the area, and accumulation of spectator craft.
2. If these events are held repeatedly in one area by an individual or organization, the Commandant or the district commander may, subject to conditions, grant a permit for a series of events for a fixed period of time, not to exceed one year.
3. Applications must be submitted no less than 30 days prior to the start of the event and must include the following details:
 - a. Name and address of sponsoring organization.

4.D.3.b.

- b. Name, address, and telephone of person/persons in charge of the event.
 - c. Nature and purpose of the event.
 - d. Information as to general public interest.
 - e. Estimated number and types of participating watercraft.
 - f. Estimated number and types of spectator watercraft.
 - g. Number of safety patrol boats being furnished by sponsor.
 - h. A time schedule and description of events.
 - i. A section of a chart or scale drawing showing the boundaries of the event, water courses or areas to be utilized by participants, officials, and spectator craft.
4. To assist the public in properly applying for a permit, the Coast Guard sends annual notices to boating clubs and yachting associations who normally conduct regattas and marine events. The notice contains application forms and instructions for applying for a Permit for a Marine Event. The Coast Guard-State Marine Event Agreements designate which agency (State or Coast Guard) will issue the permit for certain events.
5. Action on Application for Event Assigned to State Regulation by Coast Guard-State Agreement.
- a. Upon receipt of an application for an event of a type assigned to a State for regulation under a Coast Guard-State agreement, the district commander will forward the application to the State authority having control of the area. Further processing and decision upon the application is conducted by the state.
6. Action on Application for Event Not Assigned to State Regulation by Coast Guard-State Agreement.
- a. Upon receipt of an application for an event of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the district commander will determine if the event may be held in the proposed location within the district with safety of life. To assist in this determination, a public hearing may be held to obtain the views of all persons interested in, or who will be affected by the event.
 - b. The district commander will notify the individual or organization which submitted the application that:

4.D.6.b. (Continued)

- (1) The application is approved, and the nature of special local regulations required.
 - (2) The interest of safety of life requires a specific change(s) in the application prior to approval; or,
 - (3) The event requires no regulation or patrol; or,
 - (4) The application is not approved, with the reasons for disapproval.
7. Upon approving the event, the district commander may issue special local regulations to ensure safety of life. These regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during and immediately after the event.
 8. After approving the event, the district commander will give the public full and adequate notice of the dates, complete information and special local regulations, if any. This notice should be published in the local notices to mariners.
 9. Special local regulations referred to in this section, when issued and published in the Federal Register by the district commander, have the status of law.

E. AIDS TO NAVIGATION AND MARKERS

1. The Coast Guard may establish and set standard CG type aids to navigation or a sponsor's special markers to mark marine events. Any special markers must be supplied by the sponsor and delivered to the Coast Guard at no cost to the government.
2. If a sponsor's markers are not used for the purpose of safe navigation in the ordinary sense, but are used for special purposes such as to mark turning points, a starting line, or other restrictions to participants, and if the markers do not display authorized characteristics prescribed by lateral or uniform waterway marker systems, they are not considered "aids to navigation." Coast Guard approval is not required for this type of marker. **Under no circumstances should any regatta marker resemble an aid to navigation used in the lateral system.**
3. All aids to navigation and markers must be removed after the event. If the sponsor of an event desires to keep the aids or markers in the water after the event, an application for private aids to navigation is required. This is usually when events will take place a number of times throughout the boating season.

F. MARINE EVENT OR REGATTA PATROLS

1. The district commander may detail one or more Coast Guard vessels

4.F.1. (Continued)

to patrol the course of the event to enforce any special local regulations and render assistance as necessary. If a Coast Guard patrol is assigned, a patrol commander will be designated. Patrol commanders may be active duty Coast Guard commissioned, warrant, or petty officers. A state issuing authority may designate state marine law enforcement officers for its permitted events. The designated patrol commander should contact the sponsor of the event and establish:

- a. A procedure for the accountability and safety of each participant.
 - b. Emergency signals to be used in case of an accident.
 - c. The patrol commander's authority to postpone, temporarily stop, or cancel the event due to violation of permit stipulations, loss of control over participants or spectators, or the development of any dangerous condition.
 - d. A clear understanding that the sponsor is completely responsible for the conduct of the event, including placing and retrieving course markers and removal of obstructions or menaces to navigation and for cancellation of the event when prudent because of wind, rough water, or predicted bad weather conditions.
 - e. Medical and transportation facilities available in case of injuries in the regatta area and their location.
2. The district commander may utilize any private vessel or vessels to enforce the special local regulation governing a marine event provided the vessel or vessels have been placed at the disposition of the Coast Guard. The vessel must have an officer or petty officer of the Coast Guard on board who will be in charge of the vessel during the detail and responsible for the law enforcement or assistance activities performed by the vessel. A private vessel will display the Coast Guard ensign while engaged in this duty.
 3. The district commander may also utilize any private vessel or vessels placed at the disposition of the Coast Guard to patrol the course, promoting safety by performing assistance, effecting rescues and directing the movement of vessels in the vicinity of the event. These vessels are not authorized to enforce the special local regulations or laws generally.

CHAPTER 5: STATE BOATING SAFETY PROGRAMS

A. INTRODUCTION

1. The purpose of state boating safety programs is the same as that of the Federal boating safety program - to promote safe boating. The one difference is a state program applies only to waters of a particular state, whereas the Federal program applies to all Federal waters. The two programs working together should result in safe boating on all waters.
2. State boating safety programs stem from state laws, as the Coast Guard's boating safety program stems from Federal laws. State boating laws are much the same as Federal boating laws in that the former requires certain equipment to be on board a vessel when the vessel is in operation, requires a vessel to be registered and display the registered number, and requires a vessel to be operated safely. A comparison of state boating laws to Federal boating laws is presented later in this chapter.

B. STATE NUMBERING SYSTEM INFORMATION

<u>STATE</u>	<u>PERIOD OF VALIDITY</u>	<u>DATE OF EXPIRATION</u>
ALABAMA	1 year	September 30.
ALASKA	Issued by USCG	3 years from date of issue.
AMERICAN SAMOA	1 year	1 year after date of issue.
ARIZONA	1 year	1 year after date of issue.
ARKANSAS	2 years	2 years from date of issue.
CALIFORNIA	1 year	December 31.
COLORADO	1 year	December 31.
CONNECTICUT	1 year	April 30.
DELAWARE	1 year	March 31.
DISTRICT OF COLUMBIA	1 year	December 31.
FLORIDA	1 year	June 30.
GEORGIA	3 years	End of month of registration.
GUAM	3 years	3 years from date of issue.
HAWAII	1 year	1 year after date of issue.
IDAHO	1 year	December 31.

5.B. (Continued)

ILLINOIS	3 years	June 30 of year of expiration.
INDIANA	3 years	End of month 3 years after issue.
IOWA	2 years	April 30 of odd-numbered years.
KANSAS	3 years	3 years from date of issuance.
KENTUCKY	1 year	April 30.
LOUISIANA	3 years	End of quarter 3 years after date of issuance.
MAINE	1 year	Last day of 12th month after month of issue.
MARYLAND	1 or 3 years	December 31.
MASSACHUSETTS	2 years	2 years from date of issue.
MICHIGAN	3 years	December 31 of third year after issue.
MINNESOTA	3 years	December 31 of every third predetermined year.
MISSISSIPPI	2 years	2 years after date of issue.
MISSOURI	3 years	June 30.
MONTANA	1 year	April 30 to December 31.
NEBRASKA	3 years	Every third predetermined year.
NEVADA	1 year	December 31.
NEW HAMPSHIRE	Issued by USCG	3 years from date of issue.
NEW JERSEY	1 year	1 year from date of issue.
NEW MEXICO	3 years	December 31 of every third year.
NEW YORK	3 years	3 years after date of issue.
NORTH CAROLINA	3 years	December 31 of every third predetermined year.
N. MARIANA ISL.	1 year	1 year after date of issue.
OHIO	3 years	End of February every third year.

5.B (Continued)

OKLAHOMA	1 year	June 30.
OREGON	2 years	December 31 of second year.
PUERTO RICO	1 year	June 15.
PENNSYLVANIA	1 year	March 31.
RHODE ISLAND	1 year	March 1 thru last day of February
SOUTH CAROLINA	3 years	End of month 3 years after date of issue.
SOUTH DAKOTA	1 or 3 years	December 31 of year indicated on validation decal.
TENNESSEE	1 to 3 years	1 to 3 years after date of issue.
TEXAS	2 years	2 years from date of issue.
UTAH	1 year	Last day of April
VERMONT	1 year	February 28.
VIRGINIA	3 years	3 years from first day of month of issuance.
VIRGIN ISLANDS	1 year	June 30.
WASHINGTON	1 year	June 30.
WEST VIRGINIA	1 year	June 30.
WISCONSIN	2 years	March 31 of every predetermined year.
WYOMING	1 year	December 31.

C. STATES WITH PRECONDITIONS TO NUMBERING

<u>STATE</u>	<u>PRECONDITIONS TO NUMBERING</u>
AMERICAN SAMOA	Proof of ownership of the vessel by the applicant.
ARKANSAS	Proof of assessment for property taxes must accompany application for number.
CALIFORNIA	Proof of ownership and payment of sales or use tax must accompany application for numbers.
CONNECTICUT	Proof of ownership and payment of sales and use tax must accompany application. Vessel must have a HIN.

5.C (Continued)

DISTRICT OF COLUMBIA	ALL applications for licensing of marine craft must be accompanied by notarized bill of sale or title.
FLORIDA	Paid sales tax receipt and manufacturer's/builder's statement of origin.
HAWAII	Proof of ownership of the vessel by the applicant.
IDAHO	No number issued without proof of payment of sales tax.
ILLINOIS	Proof of ownership and payment of sales tax required.
IOWA	Proof of payment of sales or use tax must accompany application for numbers. Vessels 17 feet or longer (except canoes and inflatables) required to be titled. Manufacturer's statement of origin required to title.
MAINE	Excise tax payment required annually before certificate of number is issued.
MARYLAND	Title required before a number will be issued. Payment of excise tax and certificate of origin or certified bill of sale required to obtain title.
MASSACHUSETTS	Proof of payment of sales tax must accompany application for certification of number.
MISSISSIPPI	Proof of payment of sales tax required.
MISSOURI	Motorboats and all sailboats over 12 feet must be registered for number and title. All outboard motors are required to be registered and titled. Proof of purchase (notorized bill of sale), title or affidavit required to register and title.
MONTANA	Proof of payment of personal property tax on boat must accompany application for certificate of number.
NEVADA	Proof of payment of sales and personal property tax must accompany application for certificate of number.
NEW MEXICO	All boats 10' in length propelled by sail or motor must be titled. Certified bill of sale required to obtain title.
NEW HAMPSHIRE	Must show proof that state taxes are paid.
NEW JERSEY	Proof of payment of sales tax must accompany application for certificate of number. Numbers will not be issued to boats on nontidal waters unless pollution requirements are met.

5.C (Continued)

NEW YORK	Proof of payment of sales tax must accompany application. Title required for boats 14' and over.
NORTH CAROLINA	Name, address of seller and purchase price required to issue a new Certificate of Number.
OHIO	Proof of title and ownership required (bill of sale or previous registration). Title required for all watercraft 14 feet or over. Documented vessels must show proof of current documentation.
OKLAHOMA	Manufacturer's Statement of Origin (MSO) and dealers bill of sale required for registration of new boats & motors. Taxation based on factory delivered price plus options.
OREGON	Title required before number will be issued.
PENNSYLVANIA	Proof of payment of sales tax must accompany application for certificate of number.
RHODE ISLAND	Proof of payment of sales tax must accompany application for certificate of number.
SOUTH CAROLINA	Title required for all motorboats and sailboats 14 feet and over and all outboard motors 5 H.P. or greater. Proof of payment of state excise tax required to process new registration or transfer. Registration decal must follow number as read from left to right.
SOUTH DAKOTA	Proof of payment of sales tax must accompany application for certificate of number.
TENNESSEE	Proof that sales tax has been paid is necessary before registering new or transferring boats.
UTAH	A current year county property tax receipt must accompany application for number.
VERMONT	Proof of payment of 4% sales tax must accompany application.
VIRGINIA	Proof of payment of watercraft sales tax and title required for all watercraft 15 feet or longer, powered by a motor in excess of 25 H.P. Manufacturer's statement of origin required to obtain title.
VIRGIN ISLANDS	Notarized proof of ownership required at the time of registration.
WASHINGTON	Proof of payment of sales tax required.

5.C. (Continued)

WISCONSIN Proof of payment of sales or use tax must accompany application. Proof of application must be carried on board.

D. STATES WITH NON-CONFORMING FIRE EXTINGUISHER REQUIREMENTS

<u>STATE</u>	<u>FIRE EXTINGUISHER REQUIREMENTS</u>
ALASKA	A device capable of extinguishing burning gasoline required on boats for hire.
AMERICAN SAMOA	Each vessel shall have on board, not less than two, 5lb. CO(2) or dry chemical fire extinguishers.
ARIZONA	Open class "A" and "1" outboards are not exempt.
ARKANSAS	None required on non-federal waters.
ILLINOIS	To operate a motor boat propelled by an internal combustion engine anywhere in the state there must be at least one CG-approved fire extinguisher readily accessible on board.
IOWA	Class "A" and "1" boats required to carry a fire extinguisher if powered by an outboard engine greater than 10 H.P.
INDIANA	None required.
LOUISIANA	Hand-operated fire extinguisher required on all watercraft and movables. Need not be CG-approved.
MISSOURI	Class "A" AND "1" motorboats with enclosed tank, a single tank with a capacity of 12 gallons or more, or a permanently installed tank shall carry one B-I.
NEW HAMPSHIRE	Open construction Class "A" and "1" outboards not exempt.
SOUTH DAKOTA	Extinguisher must be CG-approved. If open construction none for class "A" and "1". 2 for class "2", 3 for class "3". Motorboats less than 26 feet in length and not carrying passengers for hire are exempt if the construction of the vessel will not permit the entrapment of explosive or flammable gases or vapors.
WISCONSIN	Hand portable extinguisher need not be CG-approved, All open outboards regardless of size are exempt.

E. STATES WITH NON-CONFORMING LIGHT REQUIREMENTS

<u>STATE</u>	<u>LIGHT REQUIREMENTS</u>
ARKANSAS	On state waters only a white light, sufficient to make motorboat's presence and location known, is required during hours of darkness.
ARIZONA	Rowboats and other craft are exempt when used on waters where power-driven craft are prohibited.
INDIANA	All motorboats and sailboats of 15 H.P. or more shall carry a combination (red and green) light forward, showing from dead ahead to two points abaft the beam. The combination light must be lower than the stern light, which will be a 32 point light visible all around the horizon. All motorboats and sailboats shall be equipped with a bright light aft, visible 360 degrees for a distance of 1 mile or more. The white light must be illuminated between sunset and sunrise when the boat is not standing alongside or secured to a pier, dock or berth. All other boats not mentioned in the rules must carry, during the periods between sunset and sunrise, a handheld lantern or flashlight to be shown in time to prevent collision. The light has to be visible for a distance of two miles.
IOWA	Law does not provide for international lighting. Vessels propelled by sail alone must illuminate sail with a white light.
LOUISIANA	All boats underway at night must carry a lantern or flashlight to signal another boat to avoid collision.
NORTH CAROLINA	Motorboats less than 10 H.P. require only a stern light or flashlight when operated on sole state waters. Motorboats when propelled by sail alone less than 26 feet must show combination (red and green) light forward.
RHODE ISLAND	Lights nor required in restricted visibility during daylight hours. Lighting requirements determined by class of vessel instead of length.

F. STATES WITH PFD REQUIREMENTS DIFFERENT THAN FEDERAL

ALABAMA	PFDs are required on all vessels. All water skiers must wear a PFD or ski belt. Law does not address PFD requirements on vessels carrying passengers for hire.
ALASKA	One life preserver, life belt, ring buoy, or other CG-approved device for each person on all watercraft.

5.F. (Continued)

ALASKA (Cont)	Vessels carrying passengers for hire need CG-approved life preservers.
ARIZONA	Children under 12 years shall wear a type I, II or III CG-approved PFD while the craft is underway. Persons being towed shall wear a buoyant belt or PFD.
ARKANSAS	One CG-approved PFD or ski belt for each person on a motorboat of grater than 10 H.P. At night all watercraft must carry PFDs or ski belts.
COLORADO	All water skiers must wear a PFD or ski belt.
CONNECTICUT	All water skiers must wear a type I, II, III or V Hybrid PFD.
GEORGIA	Persons towed on water skis, aquaplane, surfboard, or similar device required to wear a ski belt, ski jacket, or a CG-approved Type I, II, or III PFD.
ILLINOIS	Sailboards required to carry PFD's.
INDIANA	All boats shall be equipped with at least one life preserver, ring buoy, life jacket, buoyant vest or buoyant cushion of any make and type approved by the Coast Guard for each person on board.
KENTUCKY	All persons being towed on water skis, surfboards, kites, or similar devices must wear type I, II, or III PFD, as defined in the state regulations.
LOUISIANA	Children 12 years or younger must wear life jackets while underway in a class "A" or class "1" boat.
MARYLAND	All vessels must carry an approved PFD for each person on board, includes sailboards and every description of water craft. All water skiers must wear a PFD or barefoot/trick skier wet suit.
MASSACHUSETTS	No PFD required on vessels used in competitive rowing, sculling, or supervised intercollegiate sailing programs, rafts, surfboards, sailfish, so-called, or any similar type of vessel.
MINNESOTA	An approved Type I, II, III, or IV device will meet the state PFD requirements for all watercraft (sail boards are exempt from PFD requirements). A PFD must be in the towing craft for waterskiers or worn by the skiers themselves.
MISSOURI	No PFD required on watercraft propelled by oars or sailboats 12' and under.

5.F (Continued)

MONTANA	Persons under 12 years of age must wear PFDs at all times when on class "A" or "1" boats. Skiers being towed by watercraft must wear a life preserver, buoyant vest, or ski belt.
NEBRASKA	No operator shall tow any person on waterskis or other device unless that person(s) is wearing a PFD or ski belt in good condition. No person shall operate or manipulate waterskis, surfboards, or similar devices unless they are wearing a PFD or ski belt. (exempted during state-approved regattas, ski and water shows).
NEW HAMPSHIRE	Jet ski operators are required to wear a Type I or II PFD. Windsurfers are required to have a Type I, II, III or IV PFD. All children 5 years and under must wear an approved PFD.
NEW MEXICO	CG-approved wearable PFD's will be worn by all persons engaged in boating on rivers, white water rafting or boat races; and by persons using ice sailboats, surfboards, air mattresses, kayaks, canoes rubber rafts or inner tubes A PFD must be in the towing craft for water skiers or worn by the skiers.
NEW JERSEY	All water skiers shall wear a CG-approved Type I, II, III, or V Hybrid PFD.
NEW YORK	All watercraft of class "A", "1", and "2" shall carry one Coast Guard approved PFD for each person on board. (No distinction made as to type).
NORTH CAROLINA	PFDs required on motorboats only and on water skiers and/or similar activities when an observer is not in the boat or the boat is not equipped with a mirror.
NORTH DAKOTA	Anyone being towed on waterskis or similar device must wear a Type I, II, or III PFD.
OHIO	Skiers must wear a Type I, II, or III CG-approved PFD. Barefooters wet suit may be used for barefoot skiing only. Persons under 10 years old must wear a PFD on board watercraft less than 18 ft. in length.
PENNSYLVANIA	Persons under 9 years of age and all non-swimmers must wear PFDs on state-owned or controlled waters and impoundments. (Sailboats not exempt). Waterskiers must wear a Type I, II, III or V CG-approved PFD.
PUERTO RICO	Children under 10 years must wear PFD on board Class A, or Class I boat. No person shall operate or manipulate a personal watercraft, waterskis or any navigational vehicle without a PFD.

5.F (Continued)

RHODE ISLAND	Manually propelled vessels exempt from PFD requirements.
TENNESSEE	Waterskiers must wear an adequate and effective life preserver, buoyant vest, or life belt. If a ski belt is worn, a CG-approved type PFD must be on board the vessel for the skier.
TEXAS	Persons 12 years and under must wear a CG-approved PFD while underway on a class "A" and "1" boat.
UTAH	Children under 12 years of age must wear a PFD. All persons on river float trips must wear PFD.
VERMONT	CG-approved PFDs required on all watercraft, including sailboards (exempts boats from organized summer camps). Skiers must wear a life preserver or ski belt.
VIRGINIA	When towing a water skier, the skier must wear a CG-approved PFD unless there is an observer other than the operator in the boat.
WEST VIRGINIA	Persons engaged in water skiing must wear a Type I, II, or III PFD.

G. STATES WITH NON-CONFORMING VENTILATION REQUIREMENTS

<u>STATE</u>	<u>VENTILATION REQUIREMENTS</u>
ALABAMA	Efficient system. No mention of cowls or ducts.
ALASKA	None required.
ARKANSAS	Efficient system. No mention of cowls or ducts.
HAWAII	No manufacturers requirements.
IOWA	Efficient system. No mention of cowls or ducts.
INDIANA	Inboard gas boats with the greater portion of the bilge not open or exposed to the air are required to be fitted with at least 2 bilge ventilators, fitted with cowls or their equivalent constructed to permit safe diffusion of gas vapors into the atmosphere.
KENTUCKY	Efficient system. No mention of cowls or ducts.
LOUISIANA	Efficient system. No mention of cowls or ducts.
MISSOURI	Efficient system. No mention of cowls or ducts.
NEW YORK	Only cowls required. No mention of ducts.

5.G. (Continued)

NORTH DAKOTA	Only cowls required. No mention of ducts.
OKLAHOMA	Efficient system, at least two ventilation ducts fitted with cowls for the purpose of properly and efficiently ventilating the bilges of every engine and fuel tank. Also covers exhaust ducts.
VERMONT	Exempts boats used solely on state waters.

H. ADDITIONAL REQUIREMENTS BY STATE

<u>STATE</u>	<u>ADDITIONAL REQUIREMENTS</u>
ALABAMA	Airboats shall display a flag ten (10) by fourteen (14) inches on a 12 foot mast. The exhaust of all internal combustion engines must be muffled. No person shall operate a vessel towing another person(s) on water skis or any similar device without the vessel being equipped with a wide angle rear view mirror to permit the operator to watch the progress of the person(s) being towed. If the boat is not equipped with a rear view mirror, there must be a person other than the operator in the boat to act as observer of the person(s) being towed. Any vessel less than 18 feet in length having an open cockpit, and having more than 50 H.P. must be equipped with an emergency engine or motor SHUT-OFF switch.
AMERICAN SAMOA	The exhaust of every internal combustion engine used on any motorboat shall be effectively muffled to reduce the noise of the exhaust in a reasonable manner. Boats used to tow water skiers must have an additional person in the boat other than the operator to act as observer of the person(s) being towed. Each vessel shall have an operable radio transceiver on board. Status and position reports shall be made to the radio coordination center.
ARIZONA	Vessels towing skiers shall have an operator and observer on board. The observer shall display a red or orange flag no less than 12" on a side, when the skier has fallen or in the water preparatory to skiing. Fire extinguishers required on gasoline powered boats.
CALIFORNIA	Boat engaged in water skiing or similar activities must have another person in the boat, other than the operator, to act as observer of the person(s) being towed. The observer must be 12 years of age or older. All internal combustion engine exhaust must be muffled to meet prescribed sound levels.

5.H. (Continued)

COLORADO	Internal combustion engines must have exhaust muffled. Boats used to tow water skiers must have an additional person in the boat other the operator to act as observer of the person(s) being towed.
CONNECTICUT	Any motorboat used to propel water skiers or other such activities must have one additional person, other than the operator, at least 12 years old, on board to act as observer of the person(s) being towed. Motorboats shall have engines equipped with effective muffling devices to meet prescribed sound levels. Boats over 26' must carry a bell.
FLORIDA	Hull identification/serial number required on all boats. Internal combustion engine exhaust must be muffled. There must be a person other than the operator on board at all times to act as observer on boats being used to tow water skiers unless the boat is equipped with a wide angle rear view mirror.
GEORGIA	Internal combustion engine exhaust be muffled.
IDAHO	Boats used to tow skiers or other such activities, must have at least one person on board other than the operator to act as observer of the person(s) being towed. A ski flag is required to mark a fallen skier.
ILLINOIS	To operate a motor boat propelled by an internal combustion engine there must be at least one CG-approved fire extinguisher, readily accessible on board. Batteries must be secured to prevent shifting, terminals must be covered with non-conductive material.
INDIANA	No person shall operate a motorboat towing any water ski, water sled, aquaplane, or similar object, or any person thereon, unless said motorboat is occupied by at least one other person whose sole duty and attention is given the object or person(s) being towed. Inboard motorboats require a stock factory backfire flame arrester which must be CG-approved. Every boat motor must be fitted with a muffler or underwater exhaust or device that muffles or suppresses the noise, boats participating in a race for which a permit has been issued are exempt.
IOWA	One person other the operator, competent to act as observer of the person(s) being towed while boat is being used to tow skiers. There may be no more passengers than the registration capacity permits.
KANSAS	Vessels used to tow a person on water skis or similar devices must be equipped with a wide angle rear view

5.H. (Continued)

KANSAS (Cont)	mirror properly placed to provide maximum vision; or in addition to the operator, an observer in the boat who is at least 12 years of age. Internal combustion engine exhaust must be muffled.
KENTUCKY	Motorboat exhaust must be muffled. Boats used to tow skiers or other such activities must have one person other than the operator on board to act as observer unless the boat is equipped with a wide angle mirror. The observer must be at least 12 years of age. When towing kites or similar airborne devices, a mirror will not suffice. Observer must be 12 years of age.
LOUISIANA	Boats towing skiers must have an observer aboard in addition to the operator.
MARYLAND	Minimum of 2 people required in a boat used for towing water skiers or other such activities, minimum observer age is 12 years. Persons being towed must wear a PFD (not required to be CG-approved and may include a trick skiers wet suit). All vessels must be muffled to meet prescribed sound levels.
MASSACHUSETTS	Boats towing waterskiers must have a competent observer on board who has attained the age of 12 years, and be equipped with a ladder, steps or similar means by which a person being towed can be taken from the water. Vessels must have on board a line, anchor, muffler and bailer. Class A and 1, require a paddle.
MICHIGAN	Internal combustion engines must be muffled. Motorboats engaged in towing a person on water skis, water sled, aquaplane, surfboard, or similar contrivance, shall be equipped with a 170 degree wide angle rear view mirror affixed in a manner to permit the operator to observe the progress of the person being towed. In addition to the operator, at least one competent person in a position to observe the progress of the person being towed.
MINNESOTA	MSD must be a retention device (type III) unless operating on the Mississippi River south of Lock and Dam #2. lower St. Croix River, or on Lake Superior. 84 decibel noise limit (on an "A" weighted scale) at 50 feet for motorboats built prior to 1 January 1982 (82 decibels for those built after that date). Either mirror or observer required for waterskiing.
MISSISSIPPI	When water skiing there must be at least one person other than the operator to act as observer of the skiers. The observer must be at least 10 years of age.

5.H. (Continued)

MISSOURI	Vessels towing water skiers, inner tubes, surfboards or similar devices must have an observer in addition to the operator or a convex ski mirror not less than 8 x 3 inches. Persons are not to ride on the bow or gunwale of a motorboat 26 feet in length or less without adequate guards or railings. Motorboats are not to emit sound at a level exceeding 86 decibels on an "A" weighted scale when measured from a distance of 50 or more feet. Holding tanks required except on Missouri and Mississippi Rivers and the Missouri portion of Bull Shoals Lake.
MONTANA	No person may operate a vessel or motorboat on any waters of the state for the purpose of towing a person(s) on water skis, surfboards, or similar devices or other contrivance unless the motorboat or vessel operator is at least 12 years of age. A second person at least 12 years of age, in the vessel to act as observer of the person(s) being towed is required.
NEBRASKA	A person, in addition to the operator, in a position to observe the progress of the person/persons being towed, on water skis, surfboard, or similar device required unless the motorboat is equipped with wide angle rearview mirror.
NEVADA	Boats towing skiers must have an observer aboard in addition to the operator. Boats with power driven engines must be effectively muffled and the sound emitted must not exceed 86 decibels.
NEW HAMPSHIRE	All boats must be registered and show a decal on the stern indicating payment of State Wateruser fees (applies to all sailboats and windsurfers 12' and over). Internal combustion engines must have the exhaust muffled. Fuel tank shut-off valves required on fuel tanks with a capacity greater than 6 gallons. Exhaust discharge pipes must extend outside the hull with connections suitable to withstand exhaust. Boat used to tow water skiers must have one person other than the operator to act as observer.
NEW JERSEY	Boats towing water skiers or aquaplanes must have at least one person other than the operator to act as observer while underway. Waterskiing tow lines shall be not less than 50' or more than 75' in length. Internal combustion engine exhausts must be muffled. Signal flag required while skiers or towlines are in the water on Lake Hopatcong.
NEW MEXICO	One oar or paddle, one bailer bucket (1 gal. capacity), length of stout line at least the length of

5.H. (Continued)

NEW MEXICO (Cont)	the boat required. Must have an observer on board other than the operator when towing water skiers, or be equipped with a curved rear view mirror. A red flag is required to mark a fallen skier.
NEW YORK	Motorboats used for water skiing must have one person over the age of 10 years other than the operator to act as observer of the person(s) being towed. All internal combustion engine exhaust must be muffled. Line and anchor. All motorboats over 18 feet in length must carry a distress flag and three red flares.
NORTH CAROLINA	While towing water skiers or other similar activities, the boat must be equipped with a rear view mirror, or have an observer in the boat other than the operator to monitor the skier or the skier must be wearing a PFD. Internal combustion engines capable of running 4000 rpm with open air exhaust must be muffled.
NORTH DAKOTA	Persons manipulating water skis, surfboard, or similar devices must wear a CG-approved Type I, II, or III PFD. Observer in addition to the operator required when engaged in the above activities. Performers engaged in a professional exhibition or engaged in activities authorized under state code are exempted.
OHIO	A person 10 years or older, other than the operator, must be in the boat to observe the progress of the skier. Anchor and line required on all watercraft except sailboats less than 16 feet with cockpit depth of less than 12 inches, and canoes. Inland boats must carry a 2 ft. by 2 ft. orange distress flag or a CG-approved daytime distress signal, except manually propelled watercraft. Boats must have a muffled underwater exhaust or other device that suppresses the sound of the exhaust at all speeds.
OKLAHOMA	The exhaust of every internal combustion engine must be muffled. No person shall operate a boat towing skiers or similar activities without having an additional person on board as observer, or rearview mirror installed in such a manner as to permit the operator to face forward and observe the person or persons being towed.
OREGON	The must be another person in the boat other than the operator when the boat is being used to tow water skiers and other such activities unless the boat is equipped with a curved rear view mirror. Internal combustion engine exhaust must be muffled. Sailboards are required to conform to all operational and carriage requirements for their size.

5.H. (Continued)

PENNSYLVANIA	Internal combustion engine exhaust must be muffled. When boat is used to tow water skiers, there must be an additional person other than the operator in the boat to act as observer of the person(s) being towed.
RHODE ISLAND	A person 12 years old or older, other than the operator, must be in the boat to observe the progress of the skier, while the skier is being towed. The exhaust of every internal combustion engine on a motorboat must be muffled.
SOUTH CAROLINA	Wide angle rear view mirror or observer required in any boat pulling a water skier. Water skiers are required to wear a PFD, ski belt, or similar device.
SOUTH DAKOTA	No motorboat shall have in tow or otherwise be assisting a person on water skis, aquaplane, or other similar device unless the boat is occupied by at least two competent persons or be equipped with a 160 degree wide angle rear view mirror. The exhaust of every internal combustion engine must be muffled. This is exempted for races.
TENNESSEE	All boats with power driven engines must be effectively muffled and the sound emitted must not exceed 86 decibels at 50 feet. When skiing, the boat must be equipped with a 180 degree mirror or there must an observer 12 years of age or older.
TEXAS	Motorboats involved in towing water skiers or other similar activities must have a mirror of a size no less than 4 inches from bottom to top or across from one side to the other. The mirror must be mounted firmly so as to give the operator a complete view beyond the rear of the boat. Motorboats must have exhaust water manifold or factory type muffler installed on the engine.
UTAH	Motorboats of class A or I shall have aboard at least one paddle or oar, capable of being used to maneuver the boat. Class A and I vessels are required to have a bailing device. Class II and III vessels shall have adequate means of pumping the bilges.
VERMONT	Motorboats must have the engine exhaust muffled.
VIRGINIA	Motorboats must have the engine exhaust muffled in a reasonable manner except during regattas or races.
VIRGIN ISLANDS	Line and anchor required.
WASHINGTON	Motor-driven vessels shall use a muffler.

5.H. (Continued)

WEST VIRGINIA Boats towing skiers must be equipped with a wide angle rearview mirror or have a person in addition to the operator in the boat to observe the person being towed. The exhaust of every internal combustion engine shall be effectively muffled in a reasonable manner. The use of cutouts is prohibited.

WISCONSIN Battery covers are required on all storage batteries.

I. STATES WITH OPERATOR AGE RESTRICTIONS

<u>STATE</u>	<u>OPERATOR AGE RESTRICTION</u>
ALABAMA	Operators under 12 years must have a boating safety certificate of be accompanied by a person over 12 years.
ARKANSAS	Persons under 12 years may not operate a boat powered by more than 10 H.P. except under the direct supervision of a parent, guardian, or other person over 17 years of age.
CALIFORNIA	No one under 12 years may operate a boat towing a water skier, or a boat designed for only one person, or any boat with more than 10 H.P. without the supervision of a person at least 18 years of age.
CONNECTICUT	Operators under 18 need a boating safety certificate.
DISTRICT OF COLUMBIA	Operators under 18 need a boating safety certificate
HAWAII	No person under 15 years shall operate a "thrill craft" (any motorized vessel, generally less than 13', capable of exceeding 20 mph, capacity to carry the operator and one other person). This includes but is not limited to a jet ski, wet bike, surf jet, miniature speed boat and hovercraft.
ILLINOIS	No one under 10 may operate a motorboat. Persons age 10 to less than 12 years may operate a motorboat only if accompanied on the boat and under the direct control of a parent or guardian or a person at least 18 years of age designated by a parent or guardian. Persons 12 to less than 18 years may operate a motorboat only if they are accompanied on the motorboat and under the direct control of a parent or guardian or a person at least 18 years of age designated by a parent or guardian or if they possess a boating safety certificate issued by the Department of Conservation, Division of Law Enforcement, authorizing the holder to operate motorboats.

5.I. (Continued)

INDIANA	Persons under 14 years of age must pass a boating course or be with an adult to operate over 10 H.P.
IOWA	Persons under 12 years of age must be accompanied by someone at least 18 years of age to operate over 6 H.P.
KANSAS	Operators under 12 years of age must be accompanied by someone over the age of 17. No owner or person in possession of a vessel shall permit a person under 12 years of age to operate a motorboat unless accompanied and under the direct supervision of a parent or other person over 17 years of age.
MAINE	Persons under 12 years of age must be accompanied by someone over the age of 16 to operate over 10 H.P.
MARYLAND	Operator must be at least 12 years old to tow skiers. Operators born after July 1, 1972 must possess a boating safety education certificate to operator a motorboat.
MICHIGAN	Persons under 12 years of age must be accompanied by a person over 16 years of age to operate a boat over 6 H.P. Persons from 12 to 16 years may operate boats over 6 H.P. alone if they have a safety certificate.
MINNESOTA	Persons under 13 years of age must be accompanied by a person over 18 years of age to operate a boat over 24 H.P. Persons 13-17 must either (1) be accompanied by someone 18 years of age or older, or (2) have a watercraft operators permit from Minnesota or their state or residence to operate a boat over 24 H.P.
MISSISSIPPI	Person under 12 years of age must be accompanied by a person over 17 years of age to operate a vessel.
MISSOURI	Persons under 12 years of age must be accompanied by a person over 16 years of age to operate a motorboat.
MONTANA	No person less than 12 years of age may operate a vessel in any type of skiing operation.
NEW JERSEY	Operators must be at least 13 years of age to obtain outboard operator licenses required for nontidal waters of the state. (16 years for inboard operators).
NEBRASKA	It is illegal for persons under 14 years to operate a motorboat and for a person under 12 years to act as observer when towing skiers or similar activities.
NEW HAMPSHIRE	Operator of any motorboat with an engine greater than 25 H.P. must be accompanied by an adult.

5.I. (Continued)

NEW YORK	Persons between the ages of 10 and 16 years of age may operate a vessel alone if they have a safety certificate; otherwise, they must be accompanied by someone over 16 years of age.
NORTH DAKOTA	No person under 12 years may operate a motorboat propelled by over 10 H.P. unless accompanied by a person over 18 years. A person 12 to 15 years may not operate a motorboat propelled by over 10 H.P. unless accompanied by a person over 18 years or who has passed an approved boating course. No person may cause or knowingly permit a person under 16 years to operate a motorboat propelled by over 10 H.P. unless authorized as above.
OHIO	Operators under 12 years of age must be supervised by someone over the age of 16 years.
PUERTO RICO	No person under 14 years may operate a motorboat.
TENNESSEE	No person under 12 years of age may operate a boat of 8 1/2 H.P. or more unless an adult is present to take immediate control of the vessel.
UTAH	Operators under the age of 16 years must be accompanied by someone 18 years of age. Operators under 16 years may operate a single-person capacity boat provided they are under the direct supervision of a person who is at least 18 years of age.
WISCONSIN	No person under the age of 10 years may operate a motorboat. Persons between the ages of 10 and 12 years may operate a motorboat only when they are accompanied in the boat by a parent or guardian or a person at least 18 years of age designated by the parent or guardian. Persons at least 12 and less than 16 years of age may operate a boat of any H.P. as long as they are accompanied by a parent or guardian or person at least 18 years of age designated by a parent or guardian, or in possession of a certificate of boat operation.

CHAPTER 6: U. S. COAST GUARD AUXILIARY

A. BACKGROUND AND HISTORY

The U. S. Coast Guard Auxiliary was established by Congress in 1939 as a non-military, volunteer affiliate of the U. S. Coast Guard. It was originally called the Coast Guard Reserve and renamed the Coast Guard Auxiliary in 1941 when world conditions required Congress to establish a military reserve component for the Coast Guard. The Auxiliary's basic mission is to assist the Coast Guard in promoting safe recreational boating.

B. PREREQUISITES FOR MEMBERSHIP

The prerequisites are: be a citizen of the U. S., its territories or possessions; be at least 17 years of age; and won at least 25% interest in a vessel, amateur radio station, or aircraft or have a special skill useful in the Auxiliary.

C. MEMBERSHIP QUALIFICATION

Qualification of Auxiliary members is regulated by the Commandant of the Coast Guard. Qualification procedures are promulgated by Coast Guard publications and Coast Guard approved qualification examinations are provided for each area of achievement. The qualification program is administered in each Coast Guard district by the director of Auxiliary. At all achievement levels the Commandant's requirements are sufficiently pliable to provide for insertion of any special qualifications deemed necessary by the district commander. There are two basic levels of qualifications.

- a. **Basic Qualification.** Before individuals may become a basically qualified member, they must complete a course of instruction and pass an examination. Such areas as history and organization of the Coast Guard and the Auxiliary, and administrative procedures are covered. Basic qualification does not make the member an expert, but does qualify them to participate in many Auxiliary functions, to wear the uniform, fly the Auxiliary ensign, and pursue advanced study.
- b. **Advanced Qualifications.** After members have met the basic qualifications they may elect to qualify in one of the Auxiliary's three areas of advanced training.
 - (1) **Instructor.** These Auxiliarists are trained to execute the Auxiliary's public education and member training programs.
 - (2) **Courtesy Examiner.** Auxiliarists trained to execute the Auxiliary's Courtesy Marine Examination (CME) program and perform vessel facility inspections.
 - (3) **Operations.** Auxiliarists who wish to participate in the operational area may qualify in several categories:

6.C.b.(3) (Continued)

- (a) Air Observer
 - (b) Pilot
 - (c) Boat Crewmember
 - (d) Vessel Operator
 - (e) Auxiliary Coxswain
- (4) Auxiliarists may take courses in several areas: piloting, patrols, seamanship, SAR, communications, weather, and Auxiliary administration. Upon completion of all 7 courses an Auxiliarist is designated an AUXOP member.
- (5) Auxiliarists are also eligible to take most of the correspondence courses from the Coast Guard Institute.

D. ADMINISTRATION OF THE AUXILIARY

1. Administration of the Coast Guard Auxiliary is vested in the Commandant of the Coast Guard. The basic publication by which this administration is carried out is the Auxiliary Manual, (COMDTINST M16790.1 Series). At the Coast Guard Headquarters level an officer is assigned to act as Chief Director, Auxiliary under the Chief, Office of Navigation, Safety and Waterway Services. This officer administers the overall program for the Commandant and deals with policy matters affecting the Auxiliary.
2. Within each Coast Guard district the Auxiliary is administered by the district commander through the district director of Auxiliary. This officer is directly concerned with the Auxiliarists within the district, interrelationships between the Auxiliary and other interests, and with maintaining program standards promulgated by the Commandant.
3. The Coast Guard is responsible for the overall administration of the Auxiliary, but the specific accomplishment of stated missions rests as much as possible with the Auxiliary's elected officers and staff. Such an approach builds responsibility on the part of those individuals and fosters greater pride among the membership in the success of the program. Top elected officers at the district level maintain close liaison with the Coast Guard director for necessary guidance.
4. The basic unit of the Auxiliary is the flotilla, which consists of 10 or more members who own facilities (vessels, aircraft and radio stations). A flotilla elects its two top officers. The district director can refer you to the flotilla closest to your area of operation and provide you with a copy of the Auxiliary district directory. When there are five or more flotillas in a given area an administrative unit called a DIVISION is formed.

6.D.4. (Continued)

The "Division Board" which promotes activity among flotillas in the same area and with similar interests is composed of the respective flotilla commanders and two elected division officers and the past division captain. The senior officer is called the division captain. Division captains throughout the district in turn are on the "District Board" which is responsible for performance of all flotillas throughout the district. A district commodore, a vice commodore, and one or more rear commodores are elected. They are approved for election by the district commander.

5. Uniforms, awards, and flags are prescribed for the Auxiliary by the Commandant. Refer to the Auxiliary Manual, COMDTINST M16790.1 (Series) and the Auxiliary Operations Manual, COMDTINST M16798.3 (Series).
6. Specific questions regarding regulations or procedures should be referred to the Auxiliary Manual and/or district director of Auxiliary.

E. PUBLIC EDUCATION (PE)

One mission of the Auxiliary is to provide public education programs. The Auxiliary offers several courses to the public at a nominal fee for books and materials: Sailing and Seamanship, Boating Skills and Seamanship and Coastal Piloting are multi-lesson courses. Several short courses ranging from 1 to 6 lessons are also available. Courses are designed for the beginner and cover such subjects as aids to navigation, rules of the road, small boat maneuvering, charts and compass, and weather. Instructors are qualified by the Auxiliary before they are permitted to instruct. In many states Auxiliarist are certified as state instructors and teach state courses. Public education has branched into television in some localities, and in several states, Auxiliary safe boating courses have been introduced into secondary schools. This program can make the work of enforcement and SAR personnel easier by providing a better educated and safer boating public. At the same time, marine law enforcement officers can assist the Auxiliary by determining the locations and times of such courses and recommending them to boaters they contact.

F. COURTESY MARINE EXAMINATION (CME)

1. Specially qualified members are authorized as courtesy examiners to conduct Courtesy Marine Examinations (CME) on recreational boats when requested by the owner or operator. CME standards cover most of the safety requirements of Federal law, state law, and additional standards for safety which have been adopted by the Auxiliary, or imposed into Auxiliary requirements by the Coast Guard. No report is made to any law enforcement agency if a boat fails to pass. If the boat passes, it is awarded a distinctive decal, which signifies the boat met applicable

6.F.1 (Continued)

standards. This decal may exempt the boat from routine state or local boardings unless an obvious violation is evident. Under present conditions of heavy drug interdiction, the Coast Guard may board boats even with CME decals.

2. All motorboats, sailboats, and documented yachts 65 feet or less used for pleasure may receive a Courtesy Marine Examination. Commercial fishing vessels and commercial party fishing vessels carrying 6 or less passengers may be examined. NO other vessel used commercially regardless of size may be examined. This includes livery boats. The owner or operator must be present during the examination. Standards for the CME Program, procedures, and standards for Facility Inspections are covered in the COURTESY EXAMINERS MANUAL, COMDTINST M16796.2 (Series).
3. Listed below are some advantages of the CME to the boater:
 - a. The boater gets to speak with a knowledgeable and experienced fellow boater.
 - b. The courtesy examiner is not a law enforcement officer; no report of violations is made. The boater is advised of any deficiencies and offered advice on their correction. The examiner also offers advice on safe practices and provides a list of recommended optional safety equipment.
 - c. The service is provided only upon the consent of the owner/operator, and is free.
4. Advantages of CME to enforcement personnel:
 - a. The CME can reach vessels the enforcement officer might not have an opportunity to board.
 - b. The program indirectly prevents accidents by promoting safer boats and safety practices. The examiner informs the public of new regulations, safety practices, availability of boating safety courses and boating information.
 - c. The CME decal identifies a boat which carries proper safety equipment and whose owner has exhibited interest in safety afloat. This boat should not normally be boarded for enforcement of boat regulations unless an obvious violation or unsafe practice is observed. This is especially true of Auxiliary vessels (facilities) which are required to pass an annual examination with extremely high standards.

G. OPERATIONS

The Auxiliary's operational work most frequently falls along two major avenues: **Search and Rescue and Patrol of Marine Events.**

6.G.1.a.

- a. **Search and Rescue.** One of the Auxiliary's major functions is in the performance of search and rescue. This function includes the operation of their own vessels, radio stations and aircraft. They operate under official Coast Guard orders in the performance of these missions. Occasionally, operational needs of the Coast Guard are met by placing Coast Guard personnel on Auxiliary vessels.
- b. **Patrol of Marine Events.** Auxiliary facilities patrol numerous regattas in conjunction with Coast Guard units. These patrols may be either under reimbursable or non-reimbursable orders. This function supplements Coast Guard forces for patrol and limits their reduction in SAR capabilities.

H. STATUS OF AN AUXILIARIST "UNDER ORDERS"

1. After becoming properly qualified, an Auxiliarist may be placed under orders. Further, if a vessel has passed an annual Facility Inspection it may be "offered for use" to the Coast Guard. This would include "call-up" for emergency cases or assignment to routine regatta or safety patrols. Orders are issued to Auxiliarists by the cognizant Coast Guard district. Frequently CG group commanders have this call-up authority. In some districts, Auxiliary orders are issued only at the district level. It is important for state officials to become personally familiar with the nearby Auxiliarists and their capabilities. Still, what does it really mean when an Auxiliarist is **under orders**? It means the following:

- a. The Auxiliary vessel or aircraft becomes a **Vessel of the United States** insofar as the Government assumes responsibility for the vessel against damage, loss, or third party liability. When the vessel is under orders it is no longer subject to regulations as a recreational boat. Coast Guard boarding officers and state marine enforcement officers should not board and examine these vessels when under orders unless there is obvious cause otherwise.
- b. The Auxiliarist operates on Coast Guard radio frequencies in accordance with the Coast Guard district communication plan.
- c. The auxiliarist may be reimbursed for certain actual necessary operating expenses while under orders.

2. Being under orders DOES NOT mean the following:

- a. The Auxiliarist must unduly risk personal injury or damage to the vessel.
- b. The Auxiliarist has any law enforcement authority whatsoever.

6.H.3.

3. An Auxiliary vessel which has passed the facility inspection, given annually by an Auxiliary Courtesy Examiner, can be identified by a special year-dated decal as shown in Figure 6-1. If it doesn't have a current year decal, it is not acceptable for Coast Guard use. If the vessel has been "offered for use" by the owner, a special "wing" or wreath is placed under the facility decal as noted in Figure 6-2. An Auxiliary vessel "under orders" can be identified as follows:
 - a. Possesses actual orders issued by appropriate Coast Guard authority (usually the local operational Coast Guard unit) for the specific patrol.
 - b. May display a white patrol ensign with a red and blue slash mark and Auxiliary emblem (Figure 6-3) flown from the masthead or halyard.
 - c. Displays special patrol boards (Figure 6-4) on the port and starboard sides.

I. STATUS OF AUXILIARIST NOT UNDER ORDERS:

1. An Auxiliary vessel not actually under orders will usually have only the facility inspection decal, with or without the wreath, and will probably fly the traditional blue and white Auxiliary ensign (Figure 6-5).
2. For reasons explained in paragraph "F" of this chapter, the current facility inspection decal signifies a safe, inspected vessel and should not be boarded for routine safety examinations.

J. ASSIGNMENT OF CG PERSONNEL TO AUXILIARY VESSELS

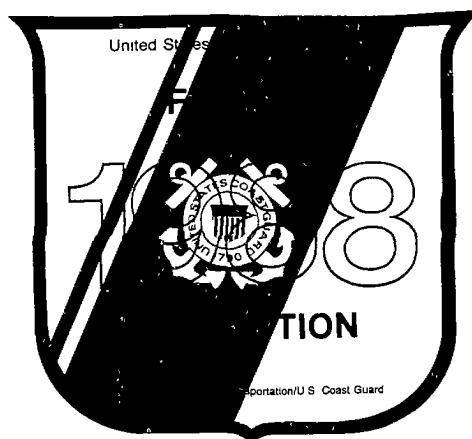
Frequently, particularly for regatta patrol, a Coast Guard officer or petty officer will be assigned to an Auxiliary vessel. THE COAST GUARD OFFICER OR PETTY OFFICER IS PLACED ABOARD IN THIS CASE TO ENFORCE REGULATIONS. The Coast Guard ensign is flown from the vessel, but the authority does not extend to the Auxiliarist. The officer assigned DOES NOT assume command of the vessel.

K. STATE BOATING SAFETY PERSONNEL AND THE CG AUXILIARY

1. State marine law enforcement personnel can promote the programs of the Auxiliary in their day to day contact with the public.
 - a. Recommend Auxiliary public education classes to boaters contacted. Have schedules available if possible.
 - b. Recommend vessels with equipment violations (or are on the borderline) correct deficiencies and seek an Auxiliary Courtesy Marine Examination.

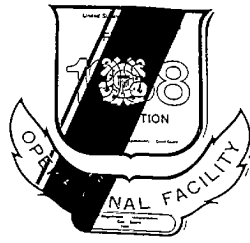
6.K.1. (Continued)

- c. Do not request Auxiliarists to exceed their authority. Before working with them, contact the local Coast Guard command or district office for assistance in establishing liaison.
- d. Refer problems regarding Auxiliary to the district Director of Auxiliary. The director can take corrective action if necessary.
- e. Serve as guest instructor occasionally either for public education courses or for member training.
- f. Many Auxiliarists are active in the field of public relations. They can be of great assistance in bringing the message of boating safety to their community. They can also arrange for you to speak before local organizations on boating safety.
- g. Auxiliarists are usually eager to assist in the promotion of boating safety. Their assistance can be especially valuable to you in your boating safety efforts.
- h. Become a member of the Coast Guard Auxiliary. It's a great organization consisting of many law enforcement officials, Coast Guard Reservists, as well as members of the regular Coast Guard.



Facility Inspection Decal

Figure 6-1



Facility Inspection Decal
(With Operational Wing)

Figure 6-2

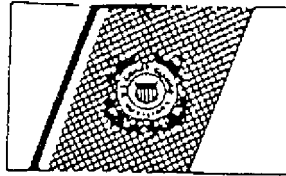


Figure 6-3



Figure 6-4

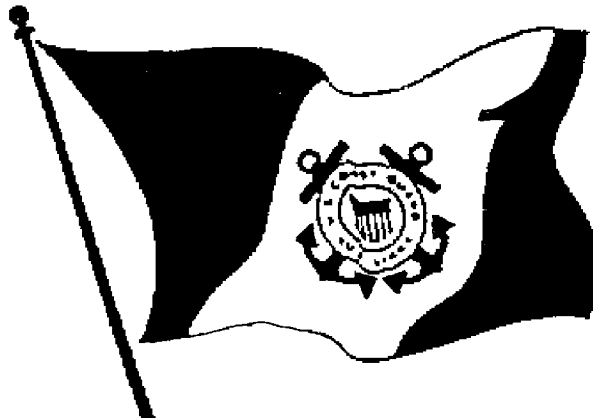


Figure 6-5

CHAPTER 7: BOATING ACCIDENTS

A. INTRODUCTION

1. A Federal statute, title 46 United States Code 6102, requires the Coast Guard to publish statistics from boating accident reports. The Coast Guard relies on accident reports and investigations required to be submitted by the states to compile this information. The reports are studied to determine the causes of boating accidents and to make recommendations for preventative measures. This may entail issuing regulations or manufacturer standards or publishing information for the boating public to help reduce or prevent boating accidents.
2. This section contains instructions for reporting boating accidents and conducting preliminary investigations. The operator or owner of the vessel is responsible for reporting an accident. States are required to forward a copy of the report to the Coast Guard.
3. Boating accident investigation is primarily a responsibility of the states, except for fatalities occurring beyond the territorial sea. The Coast Guard may also investigate boating accidents which are of national significance. This responsibility lies with the various Marine Safety Offices.
4. There are about 6,000 boating accidents involving over 8,000 vessels and approximately 1,100 fatalities and twenty million dollars in property damage reported annually. **Boating Statistics** (COMDPUB P16754.1) is published annually and includes statistical information taken from all reported boating accidents. Unfortunately, the Coast Guard estimates only 10% of non-fatal accidents are reported.
5. A vessel is considered to be involved in a boating accident whenever there is damage by or to the vessel or its equipment, injury or loss of life, or the disappearance of any person on board a vessel under circumstances indicating the possibility of death or injury. A boating accident includes, but is not limited to, capsizing, falls overboard, collision, flooding, fire, explosion, sinking and disappearance other than by theft.

B. REPORTABLE BOATING ACCIDENTS

1. Title 33 Code of Federal Regulations, Section 173, Subpart C, Casualty and Accident Reporting, applies to recreational vessels or vessels required to be numbered (including those documented for pleasure). Section 174, Subpart C, contains State Casualty Reporting System requirements. An accident report must be submitted to the reporting authority if an occurrence involving these vessels or their equipment results in one or more of the following:

7.B.1.a.

- a. A person dies;
 - b. A person is injured and requires medical treatment beyond first aid;
 - c. Damage to the vessel or vessels totals more than \$200 or there is a complete loss of vessel; or,
 - d. A person disappears from the vessel under circumstances that indicate death or injury.
2. Accidents that fall within the reporting criteria, and could have been prevented or their effects mitigated by a boating safety program (i.e., by boating safety courses, public information campaigns, development and enforcement of boat construction or equipment standards, etc.):
 - a. A fire , explosion, sinking or other occurrence involving a vessel, if the vessel, its installed or associated equipment or appendages failed, malfunctioned or otherwise caused or contributed to the accident or casualty. (Vessel could be docked, moored or anchored.)
 - b. A person is burned, or otherwise injured or dies from exposure or immersion which is the result of an accident involving the vessel where the vessel or its equipment or appendages contributed to the accident or casualty.
 - c. A person dies, is injured, or property damage results from an incident caused by careless or improper use of the vessel.
 - d. An oar or other piece of gear associated with the vessel is lost from a vessel and a person drowns or otherwise dies in an attempt to retrieve the lost item.
3. The following are examples of occurrences involving a vessel that are not preventable by a boating safety program and are considered non-reportable as recreational boating accidents. They may be reported in a state on a boating accident report, but are not included in the annual **Boating Statistics**.
 - a. A person dies from self inflicted wounds, ingestion of barbiturates or poison, or from gunshot wounds or other assault by another person or persons while aboard a vessel.
 - b. A person dies from natural causes while aboard a vessel; boat operation activities do not contribute.
 - c. A person drowns while swimming to retrieve a vessel adrift from its mooring or dock, having departed from a position of inherent safety such as a shore or pier.

7.B.3.d.

- d. A person drowns while swimming for pleasure and the vessel does not contribute to the drowning; it is only a platform.
- e. A person drowns after falling from a raft moored or anchored for use as a swimming platform or other purpose.
- f. A person dies or is injured away from the water while preparing a boat for launching. (If in the act of launching into a body of water, it is a reportable boating accident).
- g. Damage, injury or death results from a fire on shore or pier that spreads to a vessel or vessels.
- h. A person drowns or is injured while surfing. (A surfboard is not a vessel).
- i. A person dies in an "ice boat" accident. (An ice boat is not a vessel).
- j. A fatality or injury occurs to an operator or crew member while participating in an organized/sanctioned race, or warm-up, in a boat uniquely designed for racing.
- k. Damage, injury or death on a docked, moored or anchored vessel resulting from natural disasters.
- l. Damage, injury or death on a docked, moored or anchored vessel resulting from unusual tidal, sea or swell conditions.
- m. Damage to a vessel from vandalism.
- n. Deaths, injury or damage on a docked, moored or anchored non-propelled houseboat or vessel used as a permanent residence.

C. REPORTING REQUIREMENTS

1. Boating Accident Reports in death and injury cases must be submitted within 48 hours, reports in property damage or loss of vessel are required within 10 days. Reports must be submitted to one of the following:
 - a. The state where the vessel number is issued;
 - b. If the vessel has no number, to the state where the vessel is principally used;
 - c. To the state where the accident occurred, if outside the state where the vessel is numbered or principally used.
2. The **operator** of a vessel involved in a reportable boating

7.C.2. (Continued)

accident is responsible for submitting the report. If the operator is unable, the **owner** shall submit the report.

D. REPORTING PROCEDURES

1. When a boating accident occurs, the operator of the vessel is required to submit a written report to the state where the casualty occurred. The only exception is for accidents occurring in the State of Alaska, the report is submitted to the Coast Guard because that state does not have an approved numbering system. The same reporting requirements apply to vessels documented for pleasure.
2. States furnish the Coast Guard with a copy of each boating accident report submitted in accordance with their reporting requirements. Variations in reporting requirements among the states exist but they must be at least as strict as the Federal requirements.
3. State authorities must review each report for accuracy and completeness in accordance with 33 CFR 174.103. An investigation should be conducted to determine the cause, including any involvement of alcohol or drugs, and the results indicated on the report.
4. A boating accident report may be submitted in written narrative form, on the Coast Guard Boating Accident Report (CG-3865) shown in Figure 7-1, 7-2 and 7-3, or on a state boating accident report.
5. If a written report is submitted in lieu of the prescribed form, the following information must be included:
 - a. Numbers and names of each vessel involved.
 - b. Name and address of the owner of each vessel involved.
 - c. Name and address of the operator of each vessel involved.
 - d. Time and date the casualty or accident occurred.
 - e. Name of the nearest city or town, the county, the state, and the body of water.
 - f. Location on the water.
 - g. Visibility, weather, and water conditions.
 - h. Estimated air and water temperatures.
 - i. Name, address, age (or date of birth), telephone number,

7.D.5.i. (Continued)

vessel operating experience, and boating safety training of the operator making the report.

- j. Number of persons on board or towed on skis by each vessel.
 - k. Name, address, and date of birth of each casualty.
 - l. Cause of each death.
 - m. Weather forecasts available to, and weather reports used by, the operator before and during the use of the vessel.
 - n. Name and address of each owner of property involved.
 - o. Availability and use of personal flotation devices.
 - p. Type and number of each fire extinguisher used.
 - q. Nature and extent of each injury.
 - r. Description of all property and vessel damage with an estimated cost of all repairs.
 - s. Description of each equipment failure that caused or contributed to the casualty.
 - t. Description of the vessel casualty or accident.
 - u. Type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other) and the type of accident (capsizing, sinking, fire, or explosion, or other).
 - v. Opinion of the person making the report as to the cause of the casualty, including the involvement of alcohol or drugs.
 - w. Make, model, type (open, cabin etc), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard-outdrive), (wood, aluminum, fiberglass etc.) and year built (model year) of the reporting operator's vessel.
 - x. Name, address, and telephone number of each witness.
 - y. Manufacturer's Hull Identification Number (HIN), of the reporting operator's vessel.
 - z. Name, address, and telephone number of the person submitting the report.
6. Most states submit boating accident reports directly to Coast Guard Headquarters. States within the liaison responsibility of certain Coast Guard Districts that have a designated liaison

7.D.6. (Continued)

officer must forward copies of boating accident reports to the Coast Guard liaison officer who ensures completeness and forwards them to CG headquarters for review and statistical processing. Each report is processed and the accident charged to the state where it occurred.

E. BOATING ACCIDENT INVESTIGATION

1. All boating accidents reported to a state should be investigated by state or local authorities. The Coast Guard maintains authority to investigate boating accidents, but duplication by state or local authorities and the Coast Guard would not normally be in the public interest.
2. Investigations reveal the cause of accidents so measures may be taken to promote safety of life and property. The investigation must determine as closely as possible the following:
 - a. The cause of the accident.
 - b. If there is evidence material failure (physical or design) caused or contributed to the casualty. This information is used to make recommendations to prevent recurrence.
 - c. If there is evidence of negligence, or willful violation of law on the part of any person contributing to the casualty, including alcohol or drug abuse.
 - d. If there is evidence any representative or employee of any government agency or any other person caused or contributed to the cause of the casualty.
3. Investigative activities will normally consist of the following:
 - a. Photograph wreckage, accident scene, and reference points.
 - b. Collect the names, addresses, telephone numbers, and other pertinent information from the boat occupants and witnesses.
 - c. Interview and obtain statements from the witnesses.
 - d. Provide the owner/operator with a blank Boating Accident Report form (either state form or CG-3865).
4. As the first law enforcement official to arrive on the scene of a boating accident, you should take the following action:
 - a. In case of death or serious injury, administer first aid immediately, and notify state or local authorities.
 - b. Provide security and preserve the accident scene.

7.E.4.c.

- c. Obtain names and addresses of all witnesses to the casualty.
- d. Identify vessels involved (include name of owner/operator).
- e. Ensure the owner, operator, or some other responsible party for each vessel involved knows the accident reporting requirements. If all are deceased, complete the required reports and forward to the responsible agency.
- f. Record weather data (wind, seas, visibility, etc.).
- g. Determine the disposition of the victims.
- h. If it appears a Coast Guard aid to navigation caused or contributed to the casualty, notify the Coast Guard immediately.

NOTE: The Coast Guard authorization Act of 1984 (Public Law 98-557) amended title 46 United States Code to provide civil and criminal penalties for a person who is intoxicated while operating a vessel. The amendments also require states to provide information and statistics concerning the number of casualties in which the use of alcohol contributed. Federal implementing rules were effective January 13, 1988. All means available should be employed to make a determination whether alcohol or drug use was a factor in an accident, and to include such information in the accident report and investigation.

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-3865 (Rev. 1/88)		BOATING ACCIDENT REPORT		FORM APPROVED OMB NO. 2115-0010	
The operator/owner of a vessel used for recreational purposes is required to file a report in writing whenever an accident results in: loss of life or disappearance from a vessel; an injury which requires medical treatment beyond first aid; or property damage in excess of \$200 or complete loss of the vessel. Reports in death and injury cases must be submitted within 48 hours. Reports in other cases must be submitted within 10 days. Reports must be submitted to the reporting authority in the State where the accident occurred. This form is provided to assist the operator in filing the required written report.					
COMPLETE ALL BLOCKS. (Indicate those not applicable by "NA")					
NAME AND ADDRESS OF OPERATOR		AGE OF OPERATOR DATE OF BIRTH		OPERATOR'S EXPERIENCE This type of boat _____ Other Boat Operating Exp. _____ [] Under 20 Hours [] Under 20 Hours [] 20 to 100 Hours [] 20 to 100 Hours [] 100 to 500 Hours [] 100 to 500 Hours [] Over 500 Hours [] Over 500 Hours	
OPERATOR TELEPHONE NUMBER		OWNER TELEPHONE NO.			
NAME AND ADDRESS OF OWNER		RENTED BOAT? [] YES [] NO		NUMBER OF PERSONS ON BOARD	
FORMAL INSTRUCTION IN BOATING SAFETY [] None [] State [] U.S. Power Squadrons [] USCG Auxiliary [] American Red Cross [] Other (Specify) _____					
VESSEL NO. 1 (this vessel)					
BOAT REGISTR. NO.		BOAT NAME		BOAT MAKE	
TYPE OF BOAT [] Open Motorboat [] Cabin Motorboat [] Auxiliary Sail [] Sail (only) [] Rowboat [] Canoe [] Other (Specify) _____		HULL MATERIAL [] Wood [] Aluminium [] Steel [] Fiberglass [] Rubber/vinyl [] Other(Specify) _____		ENGINE [] Outboard [] Inboard gasoline [] Inboard diesel [] Inboard-outdrive [] Jet [] Other (Specify) _____	
		PROPULSION No. of engines _____ Horsepower (total) _____ Type of fuel _____		CONSTRUCTION Length _____ Year built (boat) _____	
Has boat had a Safety Examination? [] YES [] NO For current year? [] YES [] NO Year _____ Indicate whether [] USCG Auxiliary Courtesy Marine Exam. [] State/local examination [] Other _____					
ACCIDENT DATA					
DATE OF ACCIDENT		TIME am pm		NAME OF BODY OF WATER	
STATE		NEAREST CITY OR TOWN		LOCATION (Give location precisely) Lat: _____ Long: _____	
COUNTY					
WEATHER [] Clear [] Rain [] Cloudy [] Snow [] Fog [] Hazy		WATER CONDITIONS [] Calm (waves less than 6") [] Choppy (waves 6" to 2') [] Rough (waves 2' to 6") [] Very Rough (greater than 6") [] Strong Current		TEMPERATURE (Estimate) Air _____°F Water _____°F	
WIND [] None [] Light (0 - 6 mph) [] Moderate (7 - 14 mph) [] Strong (15 - 25 mph) [] Storm (Over 25 mph)		VISIBILITY Day Night [] Good [] [] Fair [] [] Poor []			
OPERATION AT TIME OF ACCIDENT (Check all applicable) [] Drifting [] Commercial Activity [] Cruising [] Maneuvering [] Approaching Dock [] Leaving Dock [] Water Skiing [] Racing [] Towing [] Other (Specify) _____		TYPE OF ACCIDENT [] Grounding [] Capsizing [] Flooding [] Sinking [] Fire or Explosion (Fuel) [] Fire or Explosion (Other than fuel) [] Fallen Skier [] Collision with Vessel [] Collision with Fixed Object [] Collision with Floating Object [] Falls Overboard [] Falls in Boat [] Hit By Boat or Propeller [] Other (Specify) _____		WHAT IN YOUR OPINION CONTRIBUTED TO THE ACCIDENT? (Check all applicable) [] Weather [] Excessive Speed [] No Proper Lookout [] Restricted Visibility [] Overloading [] Improper Loading [] Hazardous Waters [] Other (Specify) _____ [] Alcohol use [] Drug Use [] Fault of Hull [] Fault of Machinery [] Fault of Equipment [] Operator Inexperience [] Operator Inattention	
PERSONAL FLOTATION DEVICES (PFD'S)					
Was the boat adequately equipped with COAST GUARD APPROVED FLOTATION DEVICES? [] Yes [] No Were they accessible? [] Yes [] No Were they serviceable? [] Yes [] No Were they used by survivors? [] Yes [] No What Type? [] I, [] II, [] III, [] IV, [] V (specify) _____		Was the vessel carrying NON approved flotation devices? [] Yes [] No Were they accessible? [] Yes [] No Were they used? [] Yes [] No If Yes, indicate kind _____			
PROPERTY DAMAGE Estimated amount This Boat \$ _____ Other Boat \$ _____ Other Property \$ _____		FIRE EXTINGUISHERS Were they used? (If yes, list Type(s) and number used.) [] Yes [] No [] NA Types: _____			
DESCRIBE PROPERTY DAMAGE					
NAME AND ADDRESS OF OWNER OF DAMAGED PROPERTY					
Include any comments on PFD's under ACCIDENT DESCRIPTION on other side of form					

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(Revised Form)

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7.G.4. (Continued)

7.G.4. (Continued)

If more than 3 fatalities and/or injuries, attach additional form(s).					
DECEASED					
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer	DEATH CAUSED BY <input type="checkbox"/> Drowning <input type="checkbox"/> Other <input type="checkbox"/> DISAPPEARANCE	WAS PFD WORN? <input type="checkbox"/> Yes <input type="checkbox"/> No What Type?
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer	DEATH CAUSED BY <input type="checkbox"/> Drowning <input type="checkbox"/> Other <input type="checkbox"/> DISAPPEARANCE	WAS PFD WORN? <input type="checkbox"/> Yes <input type="checkbox"/> No What Type?
NAME	ADDRESS	DATE OF BIRTH	WAS VICTIM? <input type="checkbox"/> Swimmer <input type="checkbox"/> Non Swimmer	DEATH CAUSED BY <input type="checkbox"/> Drowning <input type="checkbox"/> Other <input type="checkbox"/> DISAPPEARANCE	WAS PFD WORN? <input type="checkbox"/> Yes <input type="checkbox"/> No What Type?
INJURED					
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	MEDICAL TREATMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	MEDICAL TREATMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	
NAME	ADDRESS	DATE OF BIRTH	NATURE OF INJURY	MEDICAL TREATMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	
ACCIDENT DESCRIPTION					
DESCRIBE WHAT HAPPENED (Sequence of events. Include Failure of Equipment. If diagram is needed attach separately. Continue on additional sheets if necessary. Include any information regarding the involvement of alcohol and/or drugs in causing or contributing to the accident. Include any descriptive information about the use of PFD's.)					
VESSEL NO. 2 (if more than 2 vessels, attach additional form(s)).					
Name of Operator	Address		Boat Number		
Telephone Number			Boat Name		
Name of Owner	Address				
WITNESSES					
Name	Address			Telephone Number	
Name	Address			Telephone Number	
Name	Address			Telephone Number	
PERSON COMPLETING REPORT					
SIGNATURE	Address		Telephone Number		
QUALIFICATION (Check One) <input type="checkbox"/> Operator <input type="checkbox"/> Owner <input type="checkbox"/> Investigator <input type="checkbox"/> Other			Date Submitted		
(do not use) - FOR REPORTING AUTHORITY REVIEW (use agency date stamp)					
Causes based on (check one) <input type="checkbox"/> This report <input type="checkbox"/> Investigation and this report <input type="checkbox"/> Investigation <input type="checkbox"/> Could not be determined		Name of Reviewing Office		Date Received	
Primary Cause of Accident		Secondary Cause of Accident		Reviewed By	

USCG Boating Accident Report (CG-3865)
Back Page
(Revised Form)

Figure 7-2

BOATING ACCIDENT REPORT				
ADDENDUM				
FOR REPORTING AUTHORITY				
NAME OF OPERATOR: _____			DATE OF ACCIDENT: _____	
ALCOHOL				
For operator and each passenger indicate:				
OPERATOR	TEST FOR ALCOHOL TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF TEST <input type="checkbox"/> BLOOD <input type="checkbox"/> BREATH <input type="checkbox"/> URINE <input type="checkbox"/> OTHER	TEST RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE	BAC ____%
PASSENGER	TEST FOR ALCOHOL TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF TEST <input type="checkbox"/> BLOOD <input type="checkbox"/> BREATH <input type="checkbox"/> URINE <input type="checkbox"/> OTHER	TEST RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE	BAC ____%
PASSENGER	TEST FOR ALCOHOL TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF TEST <input type="checkbox"/> BLOOD <input type="checkbox"/> BREATH <input type="checkbox"/> URINE <input type="checkbox"/> OTHER	TEST RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE	BAC ____%
PASSENGER	TEST FOR ALCOHOL TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF TEST <input type="checkbox"/> BLOOD <input type="checkbox"/> BREATH <input type="checkbox"/> URINE <input type="checkbox"/> OTHER	TEST RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE	BAC ____%
PASSENGER	TEST FOR ALCOHOL TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF TEST <input type="checkbox"/> BLOOD <input type="checkbox"/> BREATH <input type="checkbox"/> URINE <input type="checkbox"/> OTHER	TEST RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE	BAC ____%
DRUGS				
For operator and each passenger indicate:				
OPERATOR	TEST FOR DRUGS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE		
PASSENGER	TEST FOR DRUGS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE		
PASSENGER	TEST FOR DRUGS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE		
PASSENGER	TEST FOR DRUGS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE		
PASSENGER	TEST FOR DRUGS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	RESULTS <input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE		
NAME OF REVIEWING OFFICE		REVIEWED BY		

USCG Boating Accident Report
Addendum

Figure 7-3

GLOSSARY

ADMIRALTY AND MARITIME JURISDICTION: Includes all navigable waters of the United States and, for vessels of the United States, also includes the high seas. This jurisdiction may extend into the territorial waters of a foreign sovereign in certain instances.

APPROVED: Means approved by the Commandant of the Coast Guard unless otherwise stated.

ASSOCIATED EQUIPMENT: Means any system, part or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair or improvement of such system, part or component; any accessory or equipment for, or appurtenance to, a boat; any marine safety article, accessory, or equipment intended for use on board a boat excluding radio equipment.

BOATING ACCIDENT: Means a collision, accident, or other casualty involving a vessel. A vessel is considered to be involved in a boating accident whenever the occurrence results in damage by or to the vessel or its equipment, in injury or loss of life to any person, or in the disappearance of any person from on board under circumstances which indicate the possibility of death or injury.

CAPSIZING: When a vessel overturns and the bottom becomes uppermost, except in the case of a sailboat. If a sailboat overturns, it will normally lay on its side.

CERTIFICATE OF NUMBER: The registration for boats in the state where the boat is principally used, similar to automobile registration.

CFR (Code of Federal Regulations): A compilation of Federal Regulations, initially published in the Federal Register, divided into titles and sections similar to the U. S. Code.

CHARTER: Means by which a vessel owner may make his vessel available for use by others for some consideration.

CIVIL OFFENSE: Where the statute involved does not declare imprisonment and does not specifically direct arrest or does not specifically indicate that the violation is a crime.

COASTAL WATERS: As used in connection with visual distress signal requirements, includes, the U. S. waters of the Great Lakes; the territorial seas of the United States; and, those waters directly connected to the Great Lakes and territorial seas (bays, sounds, harbors, rivers, inlets) where any entrance exceeds 2 nautical miles between opposite shorelines to the first point where the largest distance between shorelines narrows to 2 miles, as shown on the current edition of the appropriate National Ocean Service chart used for navigation. Shorelines of islands or points of land present within a waterway are considered when determining the distance between opposite shorelines.

COASTAL NAVIGABLE WATERS: As used in the Oil Pollution Act, includes the territorial waters, harbors, bays and rivers, as far as they are affected by the tides.

COLLISION WITH FIXED OBJECT: Striking any fixed object, above or below the surface of the water except bottom.

COLLISION WITH VESSEL: Striking together of two or more vessels, regardless of operation at time of accident. This includes colliding with tow of another vessel, regardless of the nature of the tow, i.e., surfboard, ski-ropes, skier, etc.

COMBINATION LIGHTS: One light fixture with both red and green sidelights mounted.

COMMANDANT: The Commandant of the U. S. Coast Guard.

CUSTOM WATERS: Term used in the enforcement of customs laws. Every nation has the privilege of asserting limited jurisdiction outside territorial waters when needed for self-protection or other legitimate reasons. Since 1799, the U. S. has asserted rights to a band 12 nautical miles from the low water mark for the purposes of boarding vessels suspected of violations of our customs laws.

FLOODING: Filling with water, regardless of method of ingress, but retaining sufficient buoyancy to remain upon the surface.

FORCE MAJEURE: An event of effect that cannot be reasonably anticipated or controlled.

FUEL HAVING A FLASHPOINT OF 110(o) OR LESS: Means gasoline. This definition is important when applied to boats manufactured between April 25, 1940 and August 1, 1980.

GASOLINE ENGINE WITH A CRANKING MOTOR: Means the engine can be started from a location remote from the compartment where the engine is installed. An engine without a cranking motor would require the presence of a person at the engine location to start it. This definition is important when applied to boats manufactured between August 1, 1980 and the present.

GIVE-WAY VESSEL: A vessel that is required to take any necessary action to keep clear of the stand-on vessel.

GROSSLY NEGLIGENT OPERATION: Grossly negligent implies extreme forms of negligence, the absence of all care.

GROUND TACKLE: Means all the gear associated with the anchor.

GROUNDING: A vessel strikes rocks, reefs, shoals or the bottom.

HIGH SEAS: All parts of the sea that are not included in the territorial sea or in the internal waters of a country.

HOT PURSUIT: An expression of the right of a law enforcement vessel or official to pursue from an area in which jurisdiction exists to an area wherein it would not otherwise exist.

IN REM: Against a thing (a right, status or property), for this purpose, against the ship or vessel.

INLAND WATERS: The dividing line between inland and international waters as established by the Commandant. It has no connection with the territorial waters, high seas, or other terms denoting general jurisdiction or law enforcement except for the purpose of the Rules of the Road, and the enforcement of the inland rules of the road.

INNOCENT PASSAGE: A principle of international law, under which the laws of a sovereign are not enforced upon a foreign vessel passing through territorial waters. A local sovereign may establish reasonable rules and regulations in the interest of safety which must be obeyed by a vessel exercising the right of innocent passage.

INTERNAL WATERS: Waters landward of the baseline from which territorial sea is measured.

JURISDICTION: The right of a government to regulate conduct. Also the right of a sovereign to control, including the authority to legislate, the power to require compliance with the laws, and in the absence of such compliance, to punish.

LENGTH OF A MOTORBOAT: Distance measured from end to end over the deck, excluding sheer. This expression means a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, rudders, outboard motor brackets, and similar fittings or attachments, are not to be included.

LOW WATER MARK: Line of water on the coast, beach or banks at the lowest tide.

MANNING REQUIREMENTS: Minimum complement of officers and crew necessary for the safe navigation of a vessel.

MANUFACTURER: Any person engaged in the manufacture, construction, or assembly of boats or associated equipment; or the manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly; or the importation of boats, associated equipment or components into the United States for sale.

MARINE CASUALTY: Term applied to documented vessels involved in an accident.

MOTORBOAT: Any vessel 65 feet in length or less, which is propelled by machinery, including steam, except tugs and towboats.

MOTOR VESSEL: Any vessel more than 65 feet in length, which is propelled by machinery other than steam.

NAVIGABLE WATERS: Those which are in fact navigable and which by themselves or their connection with other waters, form a continuous channel for commerce with foreign countries or among the states. This term can be applied to waters which have been navigable in the past, even though not navigable in fact at the present time.

NAVIGATION RULES: The statutory and regulatory rules governing navigation of vessels published by the Coast Guard in the pamphlet Navigation Rules International - Inland (COMDTINST M16672.2)

NEGLIGENT OPERATION: Failure to exercise the degree of care necessary under the circumstances to prevent endangering of life, limb or property.

OPEN BOAT: Any vessel on which all engine, fuel tank and connecting compartments are open to the atmosphere and so arranged as to prevent the entrapment of fuel vapors within the vessel.

OPEN TO THE ATMOSPHERE: A compartment with at least 15 sq. ins. of open area, exposed to the atmosphere, for each cubic foot of net compartment volume.

PASSENGER: Any person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel in the business of that vessel.

PASSENGER-CARRYING VESSEL: Means any vessel which carries more than six passengers, and which is:

1. Propelled in whole or in part by steam or by any form of mechanical or electrical power and is of 15 gross tons or less.
2. Propelled in whole or in part by steam or by any form of electrical power and is of more than 15 and less than 100 gross tons and not more than 65 feet in length measured from end to end over the deck excluding the sheer.
3. Propelled by sail and is of 700 gross tons or less; or
4. Non-self-propelled and 100 gross tons or less, except any public vessel of the U. S. or of any foreign state; or any lifeboat forming part of a vessel's lifesaving equipment. Term includes: (1) any domestic vessel operation on the navigable waters of the U. S. or on the high seas outside of those and within the normal operating range of the vessel, and (2) any foreign vessel departing from a port of the U. S. (46 USC 390).

PASSENGER (FOR HIRE): The carriage of any person or persons for a valuable consideration, whether directly or indirectly flowing to the owner, charterer, operator, agent or any other person interested in the vessel.

PERMANENTLY INSTALLED: Means securely fastened to the boat's structure and the necessary wiring, piping and controls are connected and secured.

PERSONAL FLOTATION DEVICES (PFDs): Coast Guard approved life preservers, buoyant vests, ring buoys, special purpose water safety buoyant devices, or buoyant cushions in good and serviceable condition.

RIGHT OF INNOCENT PASSAGE: The right of any vessel to pass through the territorial waters of a foreign country with immunity from the local laws of that nation. In order to claim this right a foreign vessel must intend to pass through without entering a port, anchoring, or hovering in the territorial waters.

SECRETARY: The Secretary of the Department in which the Coast Guard is operating.

SHEER OF A VESSEL: The longitudinal upward curve of a deck and the amount by which the deck is higher at the bow than at the stern.

SINKING: Loss of enough buoyancy for a vessel to settle below the surface of the water.

SPECIAL MARITIME AND TERRITORIAL JURISDICTION OF THE U. S.: The high seas, any other waters within the admiralty and maritime jurisdiction of the U. S. **and out of the jurisdiction of any particular state.**

STAND-ON VESSEL: A vessel which shall maintain course and speed until it becomes apparent the give-way vessel is not taking appropriate action to avoid collision.

STATE OF PRINCIPAL USE: Means the state on whose waters the vessel is used or to be used most during the calendar year.

STATE WATERS: Waters confined entirely within a state and do not form a continuous channel for commerce which have been specifically declared to be non-navigable waters of the U. S.

TERRITORIAL SEAS: All waters extending three miles from the lowest tide. Where bays and estuaries are involved, then under the principles of international law, the nation exercises dominion over the seas not only within the three mile limit from its shores, but also between headlands and three miles outside of a line drawn tangent to the headlands. When contiguous to the U. S., all rocks, shoals, and mud lumps or flats which are exposed by mean low water are also considered territory of the U. S. together with the waters extending three miles from the mean low water marks or line.

TERRITORIAL WATERS: Waters landward of the baseline from which territorial seas are measured.

UNITED STATES CODE ANNOTATED (USCA): An unofficial publication of the U. S. code in small volume form, accompanied by annotations of all court decisions of note interpreting the section.

UNINSPECTED PASSENGER VESSEL: An uninspected vessel carrying not more than 6 passengers.

UNITED STATES CODE (USC): Codification of U. S. laws by subject matter arranged in numerical titles. Published officially by the Federal Government in volume form and kept current between publishings by annual supplements.

VESSEL: Every description of watercraft, other than a seaplane, used or capable of being used as a means of transportation water.